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Commission on Prosecution Coordination

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August 15, 2018

HAND DELIVERED

The Honorable Edward R. Tallon, Sr., Chair
Law Enforcement and Criminal Justice Subcommittee
Blatt Building, Room 228
Pendleton Street
Columbia, South Carolina 29201

Dear Chair Tallon,

Set out below are the Commission's responses to the Law Enforcement and Criminal Justice Subcommittee's requests for additional information sent after the June 18, 2018, meeting. We have included the Subcommittee's headings and questions.

CASE MANAGEMENT ORDERS

- 1 Please provide copies of the different case management orders you referenced during the July 24, 2018, meeting and any recommendations for how to achieve uniformity**

Please see Attachment A ("Compilation of Case Management Orders").

At this time, the agency has no recommendations for how to achieve uniformity and is uncertain if statewide uniformity is necessary or desirable given the vast differences in resources – particularly in the number and frequency of terms of court, prosecutors, and public defenders – from county to county.

WARRANT APPROVAL

- 2 Please provide a flow chart which illustrates the current process regarding warrants and a chart which illustrates the process for warrant approval recommended by**

SCCPC Please let us know if you, any other member of the Subcommittee, or legislative staff have any questions or need further information

Chairman Stone and agency staff are still working on the requested flowcharts and will provide to the Subcommittee when prepared.

INVESTIGATIVE GRAND JURIES

- 3 If the agency has one, please provide a recommendation, and rationale, for having investigative grand juries in counties Also, please state whether it would start state wide or in pilot counties and, if in pilot counties, the length of time in which it would be piloted and what would be analyzed after the pilot to determine whether to extend the program statewide or eliminate the program Please obtain, and provide in the response, input from potentially impacted parties**

The Commission has not met since the last Oversight Subcommittee meeting on July 24 or the Subcommittee's August 1 letter, and the next regularly scheduled meeting of both the Commission and the Solicitors is at the end of September. After those meetings, the agency will have a better idea when the agency can provide a recommendation and rationale to the Subcommittee.

- 4 If the agency has one, please provide a recommendation, and rationale, for having a state racketeer influenced and corrupt organizations act Please obtain, and provide in the response, input from potentially impacted parties**

N/A (see response to #3 above)

GENERAL DATA

- 5 Please provide a list of types of data the agency recommends collecting annually (e g , backlog by circuit) and/or every three years (e g , caseload analysis), and the following for each type of data:**
- a to whom it would be available, and**
 - b what may be gained from knowing it (e g , notice that changes may be needed in certain circuits to address backlog, number of prosecutors and public defenders needed to maintain reasonable caseload per attorney, etc)**

Chairman Stone is gathering this information.

EVIDENCE DATA

- 6 Please provide a chart which lists each law enforcement department currently utilizing a cloud based evidence database and the following information for each department:**
- a County**
 - b Circuit**
 - c Year department began using database**
 - d Upfront cost to department to use database**
 - e Annual cost to department to use database**
 - f Whether department believes use of the database has made transfer of evidence easier and/or more efficient and**
 - g Any other comments the department has regarding use of the database**

Please see Attachment B (“Listing of Law Enforcement Agencies in Each Judicial Circuit Currently Using a Cloud-Based Evidence Database”).

CASE STATUS DATA

- 7 Has the agency ever inquired why the detailed data from summary courts, such as the data the agency mentions in its July 16, 2018, letter would be beneficial (e.g., types of cases being prosecuted, numbers and dispositions by type, whether attorneys or law enforcement officers are prosecuting the cases, etc.) is not collected. If so, what was learned from those conversations**

As we noted in our July 16, 2018, letter, the agency has been informed by Court Administration that it does not collect case level data on criminal cases in Summary Court (just total financial and caseload/number data). The agency believes that knowing the types of criminal cases being prosecuted, the numbers by type, the dispositions by type, and who is appearing for the parties (prosecutor or law enforcement officer for the prosecution, and public defender/contract attorney, private attorney, or a *pro se* defendant for the defense) would be useful.

The agency has asked Elizabeth Wellman, with Court Administration, why this information is not collected. As we understand it, there is no requirement that the summary courts enter this type of information into their case report system, and the reason that this information is not required is that, if there were required fields for this

information and the information was not inserted (because not available), then the case would not move forward for purposes of, among other things, scheduling court appearances.

8 Does the agency have any estimate of the upfront and annual costs to collect the type of data it seeks from summary courts

No.

9 Does the agency believe having this type of data may potentially decrease the overall costs of prosecuting cases

One example of the usefulness of this information is being able to determine the number of cases that are being prosecuted by law enforcement in the Summary Courts (generally speaking, the only Summary Court level criminal charges being prosecuted by the Solicitors are domestic violence in the third degree and some driving under the influence charges; most, if not all, cities and towns have attorneys who prosecute some of the criminal charges in the municipal courts, but police officers still prosecute some charges) and the number of cases in which indigent defendants who want an attorney are being provided with the services of an attorney (either a member of the Circuit/County Public Defender's Office, a contract attorney, or an appointed attorney; it is also generally understood that the Circuit/County Public Defender's Office only represents indigent defendants in the summary courts if the City and/or County has contracted for that service). This information is important and useful for many reasons. First, South Carolina is one of only four states that allow law enforcement officers to prosecute cases¹, and the agency does not believe that law enforcement officers should be prosecuting criminal cases because they are not adequately knowledgeable about the law, they often are opposed by lawyers representing defendants, and a good number of the judges before whom they appear are non-lawyers, which may often present challenges. In addition, when an indigent defendant is not offered an attorney (or do not voluntarily and intelligently waive their right to counsel), they cannot be sentenced to incarceration, the conviction cannot be used in the future as a predicate offense (for example, could not use a DUI 1st offense conviction as a basis for charging a defendant with DUI 2nd offense if he were to be arrested again for DUI), and cannot be used in the future for sentence enhancement purposes (the punishment for some crimes is increased if the defendant has a prior conviction of the same offense).

¹ Research conducted when preparing the caseload equalization and domestic violence prosecutor budget materials revealed that only three other states that allow this practice are New Hampshire, New Mexico, and Virginia.

For information purposes, the agency obtained the following information from Court Administration.

July 1, 2016 to June 30, 2017				
Court/Type of Cases	Total Filed		Total Disposed	End of Year
Municipal Cases				
Criminal Cases	84,800		61,346	28,414
Traffic Cases	320,636		319,045	45,809
DUI Cases	6,277		6,596	3,855
Ordinance Cases	54,027		54,222	13,486
Total	465,740		441,209	91,564
Magistrate Cases				
Criminal	87,510		80,697	67,413
Traffic	522,023		517,851	70,412
DUI	14,714		15,186	8,161
Domestic Violence	3,981		3,780	2,911
Total	628,228		617,514	148,897
Summary Court Totals				
Criminal Cases	172,310		142,043	95,827
Traffic Cases	842,659		836,896	116,221
DUI Cases	20,991		21,782	12,016
Domestic Violence (Mag.)	3,981		3,780	2,911
Ordinance Cases	54,027		54,222	13,486
Total	1,093,968		1,058,723	240,461
General Sessions Cases				
	Total Filed		Total Disposed	End of Year
	Pending 7/1/16	Added 7/1/16 6/30/17		
Total	115,971	127,271	124,215	119,027

DIVERSION PROGRAMS

10 Can an individual participate in a diversion program more than once

For those diversion programs whose operation and eligibility has been established by the General Assembly (statute), an individual cannot participate in any specific diversion program more than once, but participation in one program does not prevent participation in another program.

The purpose of pretrial diversion programs is to enhance justice and public safety through addressing the root cause of the defendant's criminal conduct, reducing the stigma which accompanies a record of conviction, restoring victims, and conserving prosecution, judicial, and other criminal justice resources. For the non-statutorily mandated diversion programs, a Solicitor may allow an individual to participate in a program more than once, but it appears that – because of limited resources and the cost of operating the diversion programs (in terms of money, time, and personnel) – it would be unlikely that someone who has successfully completed a discretionary diversion program once would be allowed to go through a second time.

11 Please provide a comparison of the costs to the state and county associated with a drug court diversion program versus a regular prosecution track which ends in incarceration

In regard to a comparison of costs, some of the Solicitors' Offices were able to provide that information. Please see Attachment C for recidivism information the agency has collected.

12 Does the agency know the recidivism rate for each of the drug courts in the state If so, please provide this data

In regard to recidivism rates for Drug Court Program participants, the agency only knows what it can collect from the individual Solicitors' Offices. Some of the Offices track recidivism rates for some or all of their diversion programs, while others do not track any recidivism rates. Please see Attachment C for recidivism information the agency has collected.

13 Does the agency know the recidivism rate for each of the other diversion programs, by county If so, please provide this data and explain where it is available to the public, if anywhere If no, how is the agency measuring whether each of the other diversion programs are successful

In regard to recidivism rates for other diversion programs, the agency only knows what it can collect from the individual Solicitors' Offices. Some of the Offices track recidivism rates for some or all of their diversion programs, while others do not track any recidivism rates. Please see Attachment C for recidivism information the agency has collected.

14 Please provide a chart which outlines the types of offenses/circumstances which may qualify for each of the different diversion programs

Please see Attachments D (PTI), E (AEP), and F (TEP) for summaries of the types of offenses for which a person may or may not be allowed through a Pre-Trial Intervention program (PTI), an Alcohol Education Program (AEP), and a Traffic Education Program (TEP). As explained to Committee staff, there are no statutory restrictions on the discretionary diversion programs.

15 Please provide the current reports referenced in the agency's July 16, 2018, letter (e g , diversion programs and prosecution data)

The current reports are not due until August 30 or later, and, as discussed with Committee staff, copies will be submitted to the Subcommittee when submitted as required by statute or budget proviso.

The agency believes that the Committee has already received a copy of the agency's FY2016/17 Accountability Report and the FY2015/16 and FY 2016/17 Solicitors' Revenue and Expenditures Reports. Attached are the FY2016/17 DUI – Magistrate Court Report to Legislature (Attachment G), FY2016/17 DUI – General Sessions Report to Legislature (Attachment H), DV General Sessions Table 1 (CDV) Final Report for FY16-17 (Attachment I), DV General Sessions Table 2 (DV) Final Report for FY16-17 (Attachment J), DV Magistrate Court Final Report for FY16-17 (Attachment K), and Report on Statewide Diversion Programs FY? 2016/2017 (Attachment L).

16 Does the agency have a timeline for evaluating current pre trial intervention (PTI) standards, which it states in its July 16, 2018, letter it plans to do in the near future

The Commission would like to undertake the review of both the Standards and Guidelines and adopt amendments by the end of the 2019 annual Solicitors' Conference (which will be at the end of September 2019). This will allow for the creation of a subcommittee to spend the time necessary to conduct a thorough and thoughtful review of the current standards and present amendments to the Commission at its meetings between now and the end of September 2019.

17 Will analysis of whether outcomes are being achieved be part of the agency's evaluation of PTI standards and guidelines

The purpose of the guidelines and standards are to ensure that the PTI programs across the state follow the same processes and procedures in the operation of the programs. It is unknown at this point whether the standards and guidelines will address outcome measures.

18 What else will the agency consider when evaluating PTI standards and guidelines

The agency will consider the changes in PTI legislation, program operation and requirements, additional requirements imposed by Court Administration or other outside entities, resources, and the increase in the number of participants since the Guidelines and Standards were first created almost 20 years ago

DEFINITION OF "CASE" AND BACKLOG

- 19. Please communicate with potentially impacted parties regarding the definition of the term "case" proposed by the agency, including when it may be utilized (e.g., determining backlog, caseload per attorney, etc.), and provide input from the potentially impacted parties, including any definition upon which all parties agree.**

Chairman Stone is still working on drafting a definition of "case," and will be seeking input from representatives of affected criminal justice agencies (including South Carolina Commission on Indigent Defense, South Carolina Attorney General's Office, and law enforcement agencies and/or organizations).

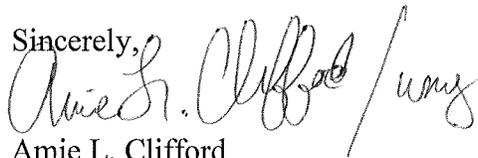
TERMINOLOGY

- 20. Does the agency have any recommendations as to changing the term "solicitor" to "district attorney" in South Carolina to be consistent with other states?**

No. While the term "District Attorney" is probably the universally best known term for prosecutors who prosecute in the highest level of state trial courts, it is not the only term used. Prosecutors in some other states are referred to as "County Attorney" or "Commonwealth Attorney." The agency does not see any reason to change the term "Solicitor" (especially given that it would require changing multiple statutes, as well as the South Carolina Constitution).

Please let us know if you, any other member of the Subcommittee, or legislative staff have any questions or need further information.

Sincerely,



Amie L. Clifford
Education Coordinator/Senior Staff Attorney

Attachments



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

**Case Management Orders
Table of Contents**

	<u>BEGINS AT PAGE</u>
First Judicial Circuit	
Calhoun County “Administrative Order” (Judge James – January 23, 2008) (mis-labeled “Orangeburg County” on first page)	1
Dorchester County “Administrative Order” (Judge Goodstein – January 16, 2006)	4
Orangeburg County “Administrative Order” (Chief Justice Toal, Solicitor Pascoe, and Public Defender Leiendecker – January 23, 2009)	6
Second Judicial Circuit	
Supreme Court Order (Aiken County) (Chief Justice Toal – February 12, 2009)	11
Aiken County “Amended Case Management Administrative Order” (Judge King – February 9, 2009)	12
Bamberg County “Cooperative Case Management Administrative Order” (Judge Early – January 10, 2008)	18
Barnwell County “Cooperative Case Management Administrative Order” (Judge Early – January 10, 2008)	25
Third Judicial Circuit	
Sumter County “Administrative Order” (Judges Newman, James, King, and Cothran – December 20, 2007)	32
Fourth Judicial Circuit	
Chesterfield County “Cooperative Case Management Administrative Order” (Judge King – November 14, 2007)	39
Darlington County “Amendment to Cooperative Case Management Administrative Order dated 18 April 2007” (Judge King – October 5, 2007)	46
Darlington County “Cooperative Case Management Administrative	

Order” (Judges Burch and King – April 12 and 18, 2007)	47
Marlboro County “Cooperative Case Management Administrative Order” (Judge King – October 9, 2009)	56
Fifth Judicial Circuit	
Richland County “Administrative Order” (unsigned/undated copy)	62
Sixth Judicial Circuit	
Lancaster County “Temporary Amended Criminal Case Management System Order” (Judge Gibbons – July 7, 2015)	66
Seventh Judicial Circuit	
Spartanburg County “Administrative Order” (Chief Justice Toal, Solicitor Gowdy, Public Defender Allen, Spartanburg County Clerk of Court, and General Sessions Representative of Spartanburg County Bar – September 26, 2008 Order)	77
Spartanburg County “Revised Amended Administrative Order as of August 23, 2013” (never signed)	83
Eighth Judicial Circuit	
Circuit-wide Order “Cooperative Case Management Administrative Order” (Judge Goldsmith – November 6, 2007)	89
Ninth Judicial Circuit <i>(not following any order)</i>	
Berkeley County “Cooperative Case Management Administrative Order” (Judge Dennis – October 26, 2006)	96
Supreme Court Order (Charleston County) (Chief Justice Beatty – May 25, 2017)	103
Charleston County “Amended Administrative Order” (Judge Dennis – June 12, 2017)	104
Tenth Judicial Circuit	
Anderson County “Cooperative Case Management Administrative Order” (Judges Macaulay, Nicholson, and Maddox January 23, 2008)	115
Supreme Court Order (Oconee County) (Chief Justice Toal – March 28, 2008)	123

Oconee County “Cooperative Case Management Administrative Order” (Judges Macaulay, Nicholson, and Maddox – February 22, 2008)	124
---	-----

Eleventh Judicial Circuit

Supreme Court Order (Lexington County) (Chief Justice Toal – December 3, 2007)	132
--	-----

Lexington County “Expedited Case Management System Administrative Order” (Judge McMahon – November 9, 2007)	133
---	-----

Information about Orders in Edgefield, McCormick and Saluda Counties	143
--	-----

Twelfth Judicial Circuit

Supreme Court Order (Florence County) (Chief Justice Toal – November 10, 2008)	144
--	-----

Florence County “Cooperative Case Management Administrative Order” (Judges Nettles and King – September 19 and 26, 2008)	145
--	-----

Supreme Court Order (Marion County) (Chief Justice Toal – November 10, 2008)	152
--	-----

Marion County “Cooperative Case Management Administrative Order” (Judges Nettles and King – September 19 and 26, 2008)	153
--	-----

Thirteenth Judicial Circuit

Circuit-wide Order “Re: Disposition of Cases in General Sessions in the Thirteenth Judicial Circuit” (Chief Justice Toal – December 12, 2013)	160
---	-----

Fourteenth Judicial Circuit

Circuit-wide “Differentiated Case Management Order” (Chief Justice Toal, Judges Buckner and Mullen, and Public Defender Hood and Solicitor Stone – June 5 – 19, 2014)	167
---	-----

Fifteenth Judicial Circuit

Circuit-wide “Differentiated Case Management and Trial Scheduling Administrative Order” (Chief Justice Toal and Judge John – January 6, 2014)	177
---	-----

Sixteenth Judicial Circuit

Union County “Amended Administrative Order” (Judge Hayes –
December 20, 1996) 191

Union County “Amended Amended Order” (Judge Hayes –
December 30, 1997) 195

York County “Amended Administrative Order” (Judge Hayes –
December 27, 2000) 196

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
) FIRST JUDICIAL CIRCUIT
 COUNTY OF ORANGEBURG)
 STATE OF SOUTH CAROLINA) ADMINISTRATIVE ORDER

Beginning with the Roll Call scheduled for Friday, January 18, 2008, the Calhoun County Solicitor's Office will begin processing all pending General Sessions Court cases through a track system. In accordance with the requirements of this system the following rules and procedures are adopted:

1. All cases with a date of arrest prior to January 11, 2008 will be required to appear for a mandatory First Appearance on January 18, 2007 at the Calhoun County Courthouse; St. Matthews, South Carolina.

2. All cases with a date of arrest after January 11, 2008 will be required to appear for a mandatory First Appearance two Fridays before the next scheduled term of General Sessions Court. If, however, the date of arrest is less than two weeks prior to the next term of General Session Court, the case shall be continued to the following term of General Sessions Court.

First Appearance

The First Appearance will consist of a roll call being conducted. The Clerk of Court is authorized to issue a bench warrant for any defendant who fails to appear for his/her First Appearance. There will be no continuances of the First Appearance. The following issues will be addressed at the First Appearance:

1. Whether the defendant has retained or been appointed counsel;
2. Any potential conflicts of interest that may exist;
3. Whether the State has provided discovery pursuant to Rule 5;

1 

4. Any mental health issues; and
5. Any other issue that may affect the timing of the disposition of the case.

At the First Appearance, the case will be assigned to one of two dispositional tracks. Second Appearances will be scheduled as follows:

1. Cases assigned to Track One will be scheduled for a Second Appearance for Monday during the second term of General Sessions Court following the First Appearance (approximately 90 days).
2. Cases assigned to Track Two will be scheduled for a Second Appearance for Monday during the third term of General Session Court following the First Appearance (approximately 180 days).

Second Appearance

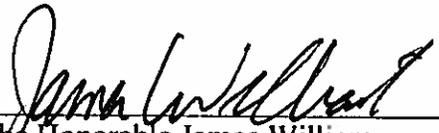
The Second Appearance will consist of a roll call being conducted. The Clerk of Court is authorized to issue a bench warrant for any defendant who fails to appear for his/her second appearance. Defense counsel is required to be present with the defendant at the Second Appearance. The defendant, with his/her attorney, should be prepared to inform the Court whether they will be entering a guilty plea or requesting a trial. The Court will then schedule either the plea or trial.

Dockets

The Calhoun County Solicitor's Office will prepare and publish a docket of all cases that are subject to being called during the upcoming term of court at least seven (7) days prior to each term of court. The Solicitor's Office will also distribute a copy of the docket to each defense attorney listed on the docket either by facsimile, U.S. mail, or

hand delivery. It is the responsibility of each attorney listed on the docket to notify his/her client that their case is scheduled for disposition.

AND IT IS SO ORDERED.



The Honorable James Williams
Chief Administrative Judge
First Judicial Circuit

Date: Jan 23, 2008
Orangeburg, South Carolina

STATE OF SOUTH CAROLINA)
) IN THE COURT OF GENERAL SESSIONS
 COUNTY OF DORCHESTER)
 The State of South Carolina) ADMINISTRATIVE ORDER

Beginning with the Roll Call scheduled for Tuesday, February 21, 2006, the Dorchester County Solicitor's Office will begin processing all pending General Sessions cases through a track system. In accordance with the requirements of this system the following rules and procedures are adopted:

1. All cases with a date of arrest of May 1, 2005 or later will be required to appear for a mandatory First Appearance in General Sessions Court at the Dorchester County Courthouse, St. George, S.C. For defendants arrested between October 17, 2005 and December 19, 2005 this First Appearance is scheduled for Tuesday, February 21, 2006 at 9:00 a.m. For those defendants arrested between May 1, 2005 and October 16, 2005, their First Appearance is scheduled for Wednesday, February 22, 2006 at 9:00 a.m. The issues that will be dealt with at a First Appearance will be outlined below.
2. All cases with a date of arrest prior to May 1, 2005 will be required to appear for a mandatory Second Appearance in General Sessions Court at the Dorchester County Courthouse, St. George, S.C. The issues and scheduling that will be dealt with at a Second Appearance will be outlined below.

First Appearance

The First Appearance will consist of a roll call being conducted. The Clerk of Court is authorized to issue a Bench Warrant for any defendant who fails to appear for his/her First Appearance. There will be no continuances of the First Appearance. The following issues will be addressed at the First Appearance:

1. The Court will determine if the defendant has either retained or been appointed counsel. If he/she has not the Court will Order the defendant to either retain private counsel or make application to and be appointed a Public Defender.
2. Any potential conflicts of interest that may exist.
3. The State will provide discovery to defense counsel, provided an appropriate motion has been filed.
4. Any mental health issues.
5. Any other issue that may affect the timing of the disposition of the criminal case.

At the First Appearance the case will be assigned to one of three dispositional tracks. Second Appearances will be scheduled as follows: for Track 1 cases the Second Appearance will be scheduled approximately 60 days from the First Appearance, Track 2 cases will be scheduled approximately 120 days from the First Appearance and Track 3 cases will be scheduled approximately 210 days out.

Second Appearance

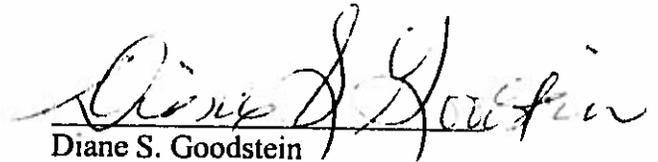
The Second Appearance will consist of a roll call being conducted. The Clerk of Court is authorized to issue a Bench Warrant for any defendant who fails to appear for his/her Second

Appearance. Defense counsel is required to be present with the defendant at the Second Appearance. The defendant, with his/her attorney, should be prepared to inform the Court whether they will be entering a guilty plea or requesting a trial. The Court will then through consultation with the Solicitor and defense counsel schedule either the plea or trial.

Dockets

The Dorchester County Solicitor's Office will prepare and publish a docket of all cases that are subject to being called during that court term at least seven days before each term of court. The Solicitor's Office will also distribute the docket to those attorneys listed upon it by either Fax, U.S. Mail or hand delivery. It is the responsibility of all attorneys who have clients on this docket to notify their clients that their case is scheduled for disposition.

AND IT IS SO ORDERED.


Diane S. Goodstein
Chief Administrative Judge
First Judicial Circuit

This 16 day of January, 2006
St. George, South Carolina

B. INITIAL APPEARANCE

1. The Initial Appearance will be held at the Orangeburg County Courthouse. Roll Call will be conducted as necessary to ensure attendance. The Clerk of Court is authorized to issue a bench warrant for any defendant who fails to appear and has not been excused by the Solicitor.
2. There will be no continuances of Initial Appearances.
3. A preliminary hearing, if desired, must be requested in writing on or before the Initial Appearance date.
4. The following issues will be addressed at the Initial Appearance:
 - a. If a defendant qualifies for Court appointed counsel and has not retained private counsel by his/her initial appearance, a Public Defender or other assigned attorney shall continue to represent the defendant.
 - b. If a defendant qualifies for a Public Defender but has retained private counsel prior to the Initial Appearance date, then that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor and Public Defender. The Public Defender may be relieved by the Court at that time.
 - c. If a defendant did not qualify for a Public Defender, and private counsel has been retained, then a letter of representation must be filed with the Clerk of Court and served on the Solicitor's Office.
 - d. Unrepresented defendants may apply for a Public Defender at the Initial Appearance. The Clerk of Court will take applications and if approved, the Public Defender will be assigned that day.
 - e. Defendants who remain unrepresented at the Initial Appearance must appear on their Second Appearance Returnable date and remain in Court throughout that term until excused by the Solicitor. These defendants must appear for each successive term of Court as required by their bond until their case is disposed.
 - f. Any mental health issues.
 - g. Any issues related to the analysis of drugs or other types of evidence.
 - h. Any other issue that may affect the timing of the disposition of the criminal case.

5. The Orangeburg County Public Defender's Office shall be appointed to represent those defendants who qualify. The appointing Magistrate or Municipal Judge shall immediately notify the Clerk of Court and Public Defender's Office of the appointment by fax or inter-office mail. The Public Defender's Office shall immediately review each assignment for any conflict of interest. If no conflict exists, each defendant shall immediately be assigned a Public Defender. If, in the opinion of the Chief Public Defender a conflict of interest exists, the Public Defender's Office shall deliver a proposed Order to be relieved to the Administrative Judge within 5 days of the appointment. A copy of the proposed Order shall be delivered simultaneously to the Solicitor's Office. If the Judge relieves the Public Defender, the Clerk of Court shall within 5 days appoint a member of the private bar and shall so notify the appointed attorney, the Public Defender's Office and the Solicitor's Office.
6. It is the intent of this Administrative Order that the Solicitor and defendant's attorneys exchange discovery as early in this process as possible. Accordingly, when feasible, defendants' attorneys and the State will enter into negotiations concerning pleas at the Initial Appearance. Any plea offer(s) must be communicated to defendant at least fourteen (14) days prior to defendant's Second Appearance and accepted or rejected at or prior to defendant's Second Appearance. Likewise, the decision not to negotiate or extend a plea offer shall be communicated to defendant by the Solicitor at least fourteen (14) days prior to defendant's Second Appearance.
7. By the Initial Appearance, the Solicitor shall provide discovery in all cases where the appropriate motions have been filed with the Clerk of Court and served on the Solicitor's Office. Sensitive materials will only be excluded from discovery upon the order of the Chief Administrative Judge. This includes video/audio tapes where necessary to protect the identity and safety of confidential informants.
8. All law enforcement agencies are required to forward a copy of their complete file including photographs, audio and video tapes to the Solicitor's Office no later than fifteen days prior to the Initial Appearance date.
9. At the Initial Appearance, the case will be assigned to one of three dispositional tracks. These tracks will be 120, 180 and 270 days long. Assignment of cases to a track will be the sole responsibility of the Solicitor's Office, and done at the sole discretion of the Solicitor's Office. Murder cases, criminal sexual conduct cases and criminal sexual conduct with a Minor cases will not fall within the guidelines of any track. The Chief Administrative Judge must approve any deviation from the track. Cases in which the arrest was made prior to November 4, 2002, shall be incorporated into the tracking system at the discretion of the Chief Administrative Judge.
10. The length of the track in which a case is placed determines the deadline by which a case should be disposed of. The date is calculated from the Initial Appearance date. If the date falls within a non-court week, it will be extended until the end of the next term of Court.

11. If the plea negotiations are unsuccessful at the Second Appearance, the case will be scheduled for trial before one of the presiding General Sessions Judges. Except for good cause shown to the Chief Administrative Judge, the Chief Administrative Judge must hear any plea taken after the case is scheduled for trial.
12. Cases may be resolved at any time prior to the specified guidelines.

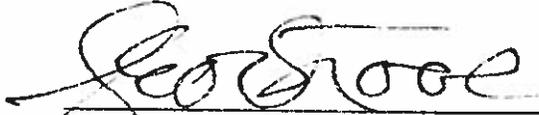
C. PRELIMINARY HEARINGS

1. Preliminary hearings shall be held at the Orangeburg Law Complex or appropriate Municipal Court. The presiding Magistrate shall be appointed by the Chief Magistrate.
2. Continuances of preliminary hearings may be granted only in extreme circumstances.
3. The defendant or his/her attorney must be present to be given a preliminary hearing. If a hearing has been requested in a case that involves an individual affiant, the failure of that affiant to appear and give testimony will result in the dismissal of the warrant if the defendant and/or his/her lawyer appear and make the appropriate motion.

D. GENERAL SESSIONS COURT PRACTICE

1. The Solicitor's Office will, within five (5) days of the end of each court term, provide the Chief Administrative Judge a list of all pending cases.
2. Presiding Judge will be available from 9:00-9:30 a.m. on Monday through Thursday of each General Sessions term to hold case status conferences with attorneys for the State and the defense. Conferences may be requested by either party and once scheduled, appearance is mandatory. The Chief Administrative Judge may require a status conference on any case at anytime.
3. At least ten (10) days prior to each term of court, the Chief Administrative Judge of General Sessions will prepare and publish a docket of all cases that are subject to being called during that term of court. Making the docket available in the Judge's Office shall effect publication. The Solicitor's Office will also distribute the docket to those attorneys listed upon it by either fax, U.S. Mail, or by hand delivery. It is the responsibility of all attorney who have clients on this docket to notify their clients that their case is scheduled for disposition.

AND IT IS SO ORDERED.



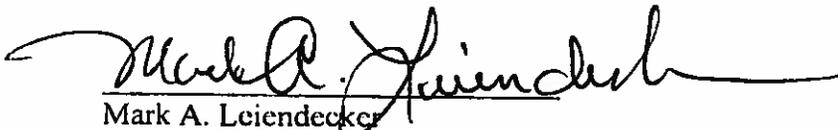
The Honorable Jean H. Toal
Chief Justice, South Carolina Supreme Court

Jan 23, 2009

WE SO MOVE AND CONSENT:



David M. Pascoe, Jr.
Solicitor, First Judicial Circuit



Mark A. Leiendecker
Chief Public Defender, First Judicial Circuit

The Supreme Court of South Carolina

ORDER

The Honorable Howard P. King, Chief Judge for Administrative Purposes for the Second Judicial Circuit (General Sessions) for the period of January 4, 2009 through January 2, 2010, submitted for approval the attached administrative order dated February 9, 2009 establishing certain local rules for the processing of criminal cases in Aiken County. Therefore,

Pursuant to the provisions of S.C. CONST. Art. V, §4, the Administrative Order is hereby approved for use in Aiken County.

IT IS SO ORDERED.



Jean Hofer Toal
Chief Justice

February 12, 2009
Columbia, South Carolina

FILED March 10 2009
Liz Hodard
C.C.C.P.&G.S.
Cheryl Westall / cw

Copies: Solicitor
P.D.
[Signature]

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
) FOR THE SECOND JUDICIAL CIRCUIT

COUNTY OF AIKEN)
) AMENDED
) CASE MANAGEMENT
) ADMINISTRATIVE ORDER

Pursuant to the authority vested in this Court by the attached Administrative Order (Exhibit A) issued by The Honorable Chief Justice Jean Toal of the South Carolina Supreme Court, the following Case Management Administrative Order is hereby adopted for the Aiken County General Sessions Court.

This Court hereby declares and orders that all General Sessions cases arising after February 1, 2009 will be processed through the Court under the principles of this Administrative Order. In accordance with the requirements of this system the following rules are hereby adopted.

The Court hereby directs that in each General Sessions case arising before the various Magistrates and Municipal Courts of this County, the following shall be done:

I. BOND HEARING

- a. General Sessions bond hearings at Doris G. Gravatt Detention Center and on various occasions at local Magistrate Offices shall be held at 10:00 am and 3:00 pm on weekdays, and 10:00 am and 3:00 pm on weekends. Prior to setting bond, the presiding Magistrate shall be provided a packet for each General Sessions case consisting of the victim documentation, warrant/ticket and defendant's NCIC criminal history.
- b. The Magistrate or Municipal Judge shall serve the defendant with a Notice of Mandatory Court Appearances (see attached) at the time of the bond hearing. The defendant's attendance at these hearings shall be made a condition of the defendant's bond by noting such in Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form. The dates of the Initial Appearance hearing and Second Appearance shall be assigned by the Bonding Magistrate in accordance with the schedule prepared and supplied by the Solicitor's Office.
- c. During the course of the bond hearing the Magistrate or Municipal Judge shall inform the defendant in writing and orally of his or her right to a Preliminary Hearing. Preliminary Hearings shall be waived or scheduled at Initial Appearance.
- d. At the conclusion of their bond hearing, all General Sessions defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for appointment of counsel. Such screening will be done in a manner as prescribed

- by the Clerk of Court and in consultation with the Public Defender's Office. Should the Court determine that the defendant qualifies for court appointed counsel, the Judge shall assign the Aiken County Public Defender's Office to represent the defendant. The Defendant has to pay the Public Defender fee of \$40.00 when requested by the Public Defender's Office. The Magistrates and Municipal Judges shall maintain a record of the defendants who qualify for court appointed counsel and shall notify the Public Defender's office, in writing via fax or email, of their appointment at the conclusion of each day's bond hearing.
- e. A prosecutor from the Solicitor's Office may attend General Sessions Court bond hearings held at Doris G. Gravatt Detention Center as needed and in accordance with existing procedures.
 - f. Magistrates and Municipal Judges shall transmit warrants and Affidavit of Indigency and Bond Paperwork to the Clerk of Court within 15 days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure.
 - g. Magistrates and Municipal Judges shall transmit appropriate paperwork to Public Defender - Warrant, Affidavit, Bond Paperwork (Public Defender's box).

II. DISCOVERY

- a. All law enforcement agencies shall provide copies of General Sessions case reports, together with all witness statements, video and audio tapes, photographs and diagrams, and any other material included in the law enforcement case file, to the Solicitor's Office within fifteen (15) days of the arrest of the defendant.
- b. The Solicitor's Office shall prepare a defense discovery packet on all General Sessions cases before the defendant's Initial Appearance date. Further, the Solicitor's Office shall provide the defense discovery packet, on or before the Initial Appearance date, to any attorney that has filed a general letter of representation along with the appropriate discovery request with the Solicitor's Office.
- c. Where feasible, the Solicitor's Office shall prepare a written plea offer for the defendant's attorney for every General Sessions case, no later than fourteen (14) days prior to the defendant's Second Appearance date. As a matter of practice the written plea offer shall, at a minimum, contain a listing of the charges contemplated by the offer, the terms of the offer and the expiration date of the offer, which would normally be the Second Appearance Date. The Court anticipates that some cases will not have all reports (forensic) completed in time to make a reasonable offer prior to Second Appearance.

III. INITIAL APPEARANCE

- a. The Initial Appearance shall be presided over by a Magistrate who will be assigned by the Chief Magistrate.
- b. The following Parties must attend: the Defendant, his/her Defense Attorney, a representative of each arresting law enforcement agency with authority to negotiate disposition of warrants, assigned Solicitors, and appropriate Solicitor support staff.

- c. The Initial Appearance hearing will be held in Courtroom 4 or another Courtroom so designated of the Aiken County Judicial Center on Friday at 9:00 am as set forth in the schedule prepared and supplied by the Solicitor's Office. Roll call will be conducted as necessary to ensure attendance. The Clerk of Court is authorized to issue bench warrants for those defendants who fail to appear and have not been excused by the Solicitor's Office or the Chief Administrative Judge for General Sessions Court.
- d. There shall be no continuances of Initial or Second Appearances. Defendants may be excused from Initial or Second Appearances by the Solicitor's Office if all matters to be addressed during these Appearances have been addressed by the parties prior to the hearing, and the required paperwork has been filed with the Solicitor's Office within 48 hours of the scheduled Appearance.
- e. The issue of legal representation shall be addressed at the Initial Appearance hearing. The Preliminary Hearings shall be either waived or scheduled at Initial Appearance.
- f. If a defendant qualifies for a Public Defender, but has retained private counsel prior to the Initial Appearance date, then that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor. The Public Defender shall be relieved of representation at that time.
- g. If a defendant did not qualify for a Public Defender, and private counsel has been retained, then a letter of representation must be filed with the Solicitor's Office on or before the initial appearance.
- h. Unrepresented defendants, who have not done so, may apply for a Public Defender at the Initial Appearance. Applications will be taken by Public Defender personnel and, if approved, will be assigned an attorney that day. The Defendant must pay the Public Defender application fee of \$40.00 when requested.
- i. Defendants who remain unrepresented at the Initial Appearance must appear for the next terms of General Sessions's court and remain in Court throughout that term until excused by the Court or the Solicitor's Office. These defendants must appear for each successive term of Court as required by their bond until the disposition of their case.
- j. In all cases where the defendant is represented by the Public Defender the defense attorney shall assess the case at the initial appearance for possible conflicts on that date. The Clerk shall, upon receipt of the Affidavit of Conflict, appoint the next attorney from the conflict list and advise the defendant as to the identity of their attorney. The newly appointed counsel shall also be notified. Discovery material shall be transmitted to the successor attorney by the attorney being relieved of representation.
- k. Issues of competency shall be addressed at the Initial Appearance. When appropriate, defense counsel shall move for a competency evaluation, and the State may consent to a competency evaluation of the defendant at the Initial Appearance. In the alternative, the State and defense may schedule a hearing to determine if a competency evaluation is necessary.
- l. All defense attorneys shall meet in person with their clients prior to the Initial Appearance hearing for the purpose of discussing all matters relating to the

defendant's case. Attorney's for Defendant's who are incarcerated shall meet with their clients prior to Initial Appearance and Second Appearance to get the proper forms, notices and offers reviewed and signed. Prior to the Initial Appearance, the case will be assigned a final disposition date falling into one of four dispositional tracks: 180 days, 270 days, or 365 days, or exempt (complex cases). The assignment of each case to a track is the responsibility of the Solicitor's Office and is done at the sole discretion of the Solicitor. All cases involving loss of life (murder, voluntary manslaughter, felony DUI, etc.) are designated as exempt and will not be assigned a disposition date. The Solicitor shall maintain a record of such designated cases to monitor them and provide information regarding them to the Chief Administrative Judge. Cases with complicated forensic, mental health or other compelling issues may be designated exempt by the Solicitor, and be put in the exempt track. These cases will not be assigned a final disposition date and will not be used to calculate CCM case disposition statistics. The disposition date will be calculated from the initial appearance date. It is the objective of all parties to have every case concluded on or before its assigned disposition date.

IV. INDICTMENTS

- a. All General Sessions cases to be presented for indictment shall be presented to the Aiken County Grand Jury within ninety (90) days of the case being transmitted by the Clerk of Court to the Solicitor's Office and in accordance with the ***South Carolina Rules of Criminal Procedure***. This Court recognizes that due to the nature or type, certain cases may not be prepared to go to the Grand Jury within ninety days and grants an extension in those instances.
- b. In accordance with South Carolina law, no preliminary hearings will be held on indicted cases.

V. SECOND APPEARANCE

- a. The following Parties must attend: Defendant, Defense Attorney, law enforcement representative (with authority to make final decisions of agency cases), Solicitor, and the victim will be notified.
- b. The Defendant and his attorney shall attend the mandatory Second Appearance at a date and time, in accordance with the schedule to be supplied by the Solicitor. The Defendant shall be given this appearance date upon bond being set by the Magistrate.
- c. The Clerk is authorized to issue bench warrants on the defendants who fail to appear at their Second Appearance and have not been excused by the Solicitor's Office or the Chief Administrative Judge for General Sessions.
- d. The Solicitor shall make an offer not less than fourteen (14) days prior to the Defendant's Second Appearance on those cases that the prosecution file is complete. The Defendant must accept the offer, or decline it, at the Second Appearance. If the offer is accepted, a plea shall be scheduled in accordance with the court schedule. If it is declined the offer shall be deemed withdrawn by the

- Solicitor and a trial date shall be set.
- e. For all cases that pre-date this Administrative Order, the Solicitor's Office may schedule a Second Appearance Court Date. If a Second Appearance is scheduled on a case that pre-dates this Order, all other rules that apply herein to a Second Appearance shall be in effect.

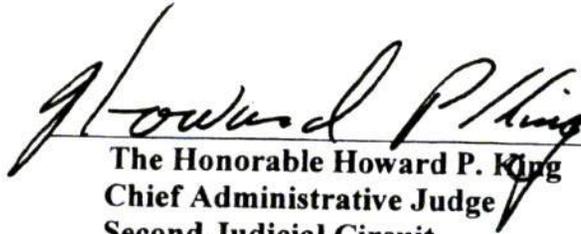
VI. COURT APPEARANCES

- a. If the case is not set for disposition on a date certain at the Second Appearance, the Defendant must appear at such further dates and times as shall be communicated in writing to his/her attorney. Failure to appear at future dates and times as set by the Solicitor shall subject the Defendant to a bench warrant by the Court.
- b. Any failure of the Defendant to appear for his court appearances, including Initial Appearance and Second Appearances, and any further dates required to resolve his/her case, may result in a bench warrant from the Court.

VII. GENERAL SESSIONS COURT PACKAGE

- a. A proposed trial roster shall be prepared fourteen (**14**) days prior to each term of court by the Solicitor's Office and transmitted via email to the Public Defender for Aiken County, all private defense lawyers representing Defendants on the proposed trial roster, and the Chief Administrative Judge for General Sessions Court.
- b. In addition to the trial roster referred to above, a General Sessions docket shall be prepared for each term of General Sessions Court. The docket may cover a two-week term of court. The docket shall be prepared and published at least seven (7) days prior to the term of Court and will be posted in the Courthouse, provided to the Chief Public Defender for Aiken County, and to the Chief Administrative Judge for General Sessions Court.
- c. Motions for continuance and requests for Orders of Protection shall be served upon the Chief Administrative Judge for General Sessions Court or his designee and the Solicitor's Office no later than seven (7) days prior to the commencement of the court term. The Court will endeavor to hear and rule on the motions for continuance and requests for Orders of Protection before the commencement of the term of court.
- d. During a term of General Sessions Court, or Initial and Second Appearances, all assigned Solicitors and Public Defenders shall be present in the designated courtrooms no later than 9:00 am for the morning session of court and 1:30 pm for the afternoon session of court, unless directed otherwise by the presiding Judge.
- e. Nothing in this Order shall be construed by this Court or any other Court as reason for a case to be judicially dismissed. This Order is intended to be strictly administrative in nature.

IT IS SO ORDERED.


The Honorable Howard P. King
Chief Administrative Judge
Second Judicial Circuit

February 9, 2009
Aiken, South Carolina

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
COUNTY OF BAMBERG) FOR THE SECOND JUDICIAL CIRCUIT
)
)
) COOPERATIVE CASE MANAGEMENT
ADMINISTRATIVE ORDER

Pursuant to the authority vested in this Court by the attached Administrative Order (Exhibit A) issued by The Honorable Chief Justice Jean Toal of the South Carolina Supreme Court, the following Cooperative Case Management Administrative Order is hereby adopted for the Barnwell County General Sessions Court.

This Court hereby declares and orders that all General Sessions cases arising after January 1, 2008 will be processed through the Court under the principles of the system known as Cooperative Case Management. In accordance with the requirements of this system the following rules are hereby adopted.

The Court hereby directs that in each General Sessions case arising before the various Magistrates and Municipal Courts of this County, the following shall be done:

I. BOND HEARING

- 
- a. General Sessions bond hearings will be held at Bamberg County Detention Center or the office of the Magistrate or Municipal Judge who issued the warrant if at all possible and in accordance with current practices. Prior to setting bond, the presiding Magistrate or Municipal Judge shall be provided a packet for each General Sessions case consisting of the incident report, warrant/ticket and defendant's NCIC criminal history.
 - b. The Magistrate or Municipal Judge shall serve the defendant with a Notice of Mandatory Court Appearances (see attached) at the time of the bond hearing. The defendant's attendance at the Initial General Sessions Appearance hearing and docket appearance hearing shall be made a condition of the defendant's bond by noting such in Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form. The dates of the Initial General Sessions appearance hearing and the docket appearance hearing shall be assigned in accordance with the schedule prepared and supplied by the Solicitor's Office.
 - c. During the course of the bond hearing the Magistrate or Municipal Judge shall inform the defendant in writing and orally of his or her right to a Preliminary Hearing. Preliminary Hearings shall be waived or scheduled at the Initial General Sessions Appearance.
 - d. At the conclusion of their bond hearing, all General Sessions defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for

appointment of counsel. Such screening will be done in a manner as prescribed by the Clerk of Court in consultation with the Bamberg County Public Defender. Should the Court determine that the defendant qualifies for court appointed counsel; the Judge shall assign the Bamberg County Public Defender to represent the defendant. The Magistrates and Municipal Judges shall maintain a record of the defendants who qualify for court appointed counsel and shall notify the public defender's office, in writing via fax or email, of their appointment at the conclusion of each day's bond hearing.

- e. Magistrates and Municipal Judges shall transmit warrants to the Clerk of Court within 15 days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure.

II. DISCOVERY

- a. All law enforcement agencies shall provide copies of General Sessions case reports, together with all witness statements, video and audio tapes, photographs and diagrams, and any other material included in the law enforcement case file, to the Solicitor's Office within ten (10) days of the arrest of the defendant. If the case file remains incomplete fifteen (15) days after arrest, law enforcement shall provide the Solicitor's Office that portion of the report that is complete, together with a listing of those items for which law enforcement is waiting.
- b. The Solicitor's Office shall prepare a defense discovery packet on all General Sessions cases before the defendant's Initial General Sessions Appearance date. Further, the Solicitor's Office shall provide the defense discovery packet, on or before the Initial General Sessions Appearance date, to any attorney that has filed a general letter of representation along with the appropriate discovery request with the Solicitor's Office.
- c. The Solicitor's Office shall prepare a written plea offer for every General Sessions case before the defendant's initial appearance date. The plea offer shall be provided, on or before the defendant's initial appearance date, to any attorney that have filed a general letter of representation with the Solicitor's Office. As a matter of practice the written plea offer shall at a minimum contain a listing of the charges contemplated by the offer, the terms of the offer and the expiration date of the offer.

III. INITIAL GENERAL SESSIONS APPEARANCE

- a. The Initial General Sessions Appearance shall be presided over by a Magistrate who will be assigned by the Chief Magistrate.
- b. The following Parties must attend: the Defendant, his/her Defense Attorney, a representative of each arresting law enforcement agency with authority to negotiate disposition of warrants, assigned Solicitors. And appropriate Solicitor support staff.
- c. The Initial General Sessions Appearance hearing will be held in Bamberg County Courthouse as set forth in the schedule prepared and supplied by the Solicitor's Office. Roll call will be conducted as necessary to ensure attendance. The Clerk is

authorized to issue bench warrants for those defendants who fail to appear and have not been excused by the Solicitor's Office or the Chief Administrative Judge for General Sessions Court.

- d. There shall be no continuances of Initial General Sessions Appearances. Defendants may be excused from Initial General Sessions Appearance, by the Solicitor's Office if all matters to be addressed during Initial General Sessions Appearance have been addressed by the parties prior to the hearing, and the required paperwork has been filed with the Solicitor's Office within 48 hours of the scheduled Initial General Sessions appearance.
- e. The issue of legal representation shall be addressed at the Initial General Sessions Appearance hearing. The Preliminary Hearings shall be either waived or scheduled at the Initial General Sessions Appearance.
- f. If a defendant qualifies for a Public Defender, but has retained private counsel prior to the Initial General Sessions Appearance date, then that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor. The Public Defender shall be relieved of representation at that time.
- g. If a defendant did not qualify for a Public Defender, and private counsel has been retained, then a letter of representation must be filed with the Solicitor's Office on or before the Initial General Sessions appearance.
- h. Unrepresented defendants may apply for a Public Defender at the Initial General Sessions Appearance. Applications will be taken by the clerk and, if approved, will be assigned that day.
- i. Defendants who remain unrepresented at the initial appearance must appear at the next term of General Sessions court and remain in Court throughout that term until excused by the Court or the Solicitor's Office. These defendants must appear for each successive term of Court as required by their bond until the disposition of their case.
- j. In all cases where the defendant is represented by the Public Defender shall assess the case at the initial appearance for possible conflicts on that date. The Clerk shall, upon Affidavit of Conflict, appoint the next attorney from the conflict list and advise the defendant as to the identity of their attorney. The newly appointed counsel shall also be notified.
- k. Issues of competency shall be addressed at the Initial General Sessions Appearance. When appropriate, defense counsel shall move for a competency evaluation, and the State may consent to a competency evaluation of the subject defendant at the Initial General Sessions Appearance. In the alternative, the State and defense may schedule a hearing to determine if a competency evaluation is necessary.
- l. In all cases where it is feasible to do so, at Initial General Sessions Appearance the defendant and the State shall enter into negotiations concerning pleas and scheduling. All offers tendered at the Initial General Sessions Appearance must be accepted or rejected by Monday of the next term of General Sessions's court.
- m. In order to be prepared to respond to the State's plea offer in a timely manner, all defense attorneys shall meet in person with their clients prior to the Initial General Sessions Appearance, if at all possible, for the purpose of discussing the State's plea offer and all other matters relating to the defendant's case. If they are unable

to meet prior to the Initial General Sessions Appearance a meeting shall be set at the Initial Appearance and scheduled within a week to timely respond to the State's plea offer.

- n. Prior to the Initial General Sessions Appearance, the case will be assigned a final disposition date approximately one hundred twenty (120) days from the date of the initial appearance. Should the disposition date fall on a non-court week, it will be extended until the end of the next term of court. The disposition date will be calculated from the Initial General Sessions Appearance date. It is the objective of all parties to have every case concluded on or before its assigned disposition date. All cases involving loss of life (murder, voluntary manslaughter, felony DUI, etc.) are not assigned a final disposition date and will not be used to calculate Cooperative Case Management case disposition statistics. The Solicitor shall maintain a record of such designated cases to monitor them and provide information regarding them to the Chief Administrative Judge. Cases with complicated forensic, mental health or other compelling issues may be designated complex by the Solicitor, and be put in the exempt track. These cases will not be assigned a final disposition date and will not be used to calculate Cooperative Case Management case disposition statistics.

IV. INDICTMENTS

- 
- a. All General Sessions cases to be presented for indictment shall be presented to the Bamberg County Grand Jury within ninety (90) days of the case being transmitted by the Clerk of Court to the Solicitor's Office and in accordance with the ***South Carolina Rules of Criminal Procedure***. This Court recognizes that due to the nature or type, certain cases may not be prepared to go to the Grand Jury within ninety days and grants an extension in those instances.
 - b. In accordance with South Carolina law, no preliminary hearings will be held on indicted cases.

V. REFER FOR ADDITIONAL INVESTIGATION

- a. If the assigned prosecutor determines, within ninety (90) days of the date of arrest, that insufficient evidence exists to present a case to the Grand Jury, he or she may refer the warrant(s) back to the investigating agency for further investigation.
- b. Upon referral, the assigned prosecutor shall provide written notification to the victim(s) if applicable, and the investigating agency of the change in status of the warrant. The investigating agency shall have ninety (90) days from the date of referral to conduct such additional investigation as requested and as it deems appropriate and shall present any additional evidence to the assigned prosecutor for consideration.
- c. Upon providing notice of referral for further investigation, the Solicitor's Office shall remove the warrant(s) from the assigned prosecutor's pending case list and shall classify them separately as "referred for further investigation".

- d. Once the investigating agency has concluded its additional investigation, it shall present its evidence to the assigned prosecutor, whom will then determine if sufficient evidence exists to present the case to the Grand Jury or otherwise advance the prosecution.
- e. Should the investigating agency fail to present sufficient evidence to the assigned prosecutor within ninety days, then the Solicitor's Office shall administratively dismiss the warrant(s) without prejudice and shall notify the victim(s) if applicable, and the investigating agency
- f. Should the assigned prosecutor determine that sufficient evidence exists to advance the prosecution of the case, it shall restore the warrant(s) back to the his or her pending case list so that he or she may take the steps necessary to move the case toward disposition. The assigned prosecutor may request that a referred warrant be restored at any time prior to the warrant's administrative dismissal deadline.
- g. Nothing in this section shall be construed as limiting the state's authority to directly present criminal cases to the Grand Jury for indictment.

VI. GENERAL SESSION, ROLL CALL AND STATUS CONFERENCE

- 
- a. The Docket Appearance hearing will be held along with general roll call at the Bamberg County Courthouse on the designated Mondays at 9:00 am of scheduled terms of General Sessions Court. General roll call will include those defendants whose cases have been directly presented to the Grand Jury and/or whose docket appearance dates have passed without the disposition of their cases. The general roll call docket will be prepared by the Solicitor's Office and posted as set forth above. Defendants and defense counsel are required to appear for Docket Appearance and general roll call and must remain until excused by the Court or a representative of the Solicitor's Office. The Clerk is authorized to issue bench warrants for those defendants who fail to appear for Docket Appearance or general roll call and also for those defendants that fail to remain until excused from Docket Appearance or general roll call. Attorneys for the state and defense that fail to appear are subject to being held in contempt.
 - b. All the parties shall, during this appearance, engage in final plea negotiations. In those cases where a plea agreement or other disposition is reached, the parties shall prepare the necessary paperwork, obtain the necessary signatures, and/or schedule the plea as needed to dispose of the case.
 - c. Plea Offers shall expire at the end of the business day on the Docket Appearance date and in general will not be extended unless the defendant can demonstrate a material change in circumstances or some other exceptional situation.
 - d. The presiding General Sessions Court Judge will hold Status Conferences for cases that remain unresolved on the Monday of the Docket Appearance hearing or at such other convenient time for the purpose of assisting the parties in resolving cases.
 - e. Defendants who remain unrepresented on their Docket Appearance must be present in Court throughout the following term. These defendants must appear for each successive term of Court as required by their bond until their case is

disposed.

VII. GENERAL SESSIONS COURT PACKAGE

- a. A proposed trial roster shall be prepared fourteen (**14**) days prior to the terms of court by the Solicitor's Office and provided to the Public Defender for Bamberg County, all private defense lawyers representing Defendants on the proposed trial roster, and the Chief Administrative Judge for General Sessions Court.
- b. In addition to the trial roster referred to above, a roll call roster shall be prepared for each term of General Sessions Court. Both the proposed trial roster and the roll call roster shall be prepared and published at least fourteen (14) business days prior to the term of Court and will be posted in the Courthouse, provided to the Chief Public Defender for Barnwell County, and to the Chief Administrative Judge for General Sessions Court.
- c. All motions for continuance and requests for orders of protection shall be served upon the Chief Administrative Judge for General Sessions Court or his designee and the Solicitor's Office no later than seven (7) days prior to the commencement of the court term. The Court will endeavor to hear and rule on the motions for continuance and requests for orders of protection before the commencement of the term of court.
- d. During a term of General Sessions Court all assigned solicitors and public defenders shall be present in the designated courtrooms no later than 9:00 am for the morning session of court and 1:30 pm for the afternoon session of court, unless otherwise directed by the presiding Judge.

Nothing in this order shall be construed by this Court or any other Court as reason as a reason for a case to be judicially dismissed. This order is intended to be strictly administrative in nature.

IT IS SO ORDERED.



The Honorable Doyet A. Early III
Chief Administrative Judge
Second Judicial Circuit

January 10, 2008
Bamberg, South Carolina

DRAFT 1/9/08

THE STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
) SECOND JUDICIAL CIRCUIT
 COUNTY OF BAMBERG)
)
 THE STATE OF SOUTH CAROLINA)
)
 VS.) NOTICE OF DATE AND TIME
) OF
) MANDATORY COURT INITIAL APPEARANCE
 _____ Defendant)

Warrant Number(s): _____

****THIS IS THE ONLY NOTICE YOU WILL RECEIVE**
 KEEP A COPY FOR YOUR RECORDS**

You are a Defendant in a Criminal Case. You are required to appear at:

The Bamberg County Courthouse, 2959 Main Highway, Bamberg, South Carolina 29003
 The dates and times of these appearances CANNOT be changed for any reason.

Your INITIAL APPEARANCE is set for the _____ day of _____, 20____ at 1:00 a.m. in the Main Courtroom.

FAILURE TO APPEAR WILL RESULT IN YOUR ARREST

You MUST be present at this appearance. If you FAIL TO APPEAR on this date and time, a Bench Warrant will be issued for your arrest; you will be placed in jail and may be held until the trial of your case.

- I waive any right to the services of a Public Defender. I understand that I must either hire a private attorney or represent myself. _____
- You **have not qualified** for a Public Defender. You must either hire a private attorney or represent yourself.
- You have qualified for a Public Defender. You will go to the Clerk of Court's Office at the Bamberg County Courthouse. There is a State mandated application fee of \$40.00 you must pay at that time. You must take copies of Warrants with you or you cannot be processed. **Failure to do so may result in your bond being revoked.**

FAILURE TO OBTAIN AN ATTORNEY MAY RESULT IN YOUR BOND BEING REVOKED, BEING HELD IN CONTEMPT OF COURT, FINES, AND/OR JAIL.

I HAVE READ THIS FORM OR HAVE HAD IT READ TO ME. I UNDERSTAND THESE INSTRUCTIONS, AND I HAVE BEEN GIVEN A COPY TO KEEP.

 Defendant's Signature

 Judge's Signature

 Date

 Date

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
 COUNTY OF BARNWELL) FOR THE SECOND JUDICIAL CIRCUIT
)
)
) COOPERATIVE CASE MANAGEMENT
 ADMINISTRATIVE ORDER

Pursuant to the authority vested in this Court by the attached Administrative Order (Exhibit A) issued by The Honorable Chief Justice Jean Toal of the South Carolina Supreme Court, the following Cooperative Case Management Administrative Order is hereby adopted for the Barnwell County General Sessions Court.

This Court hereby declares and orders that all General Sessions cases arising after January 1, 2008 will be processed through the Court under the principles of the system known as Cooperative Case Management. In accordance with the requirements of this system the following rules are hereby adopted.

The Court hereby directs that in each General Sessions case arising before the various Magistrates and Municipal Courts of this County, the following shall be done:

I. BOND HEARING

- a. General Sessions bond hearings will be held at Barnwell County Detention Center or the office of the Magistrate or Municipal Judge who issued the warrant if at all possible and in accordance with current practices. Prior to setting bond, the presiding Magistrate or Municipal Judge shall be provided a packet for each General Sessions case consisting of the incident report, warrant/ticket and defendant's NCIC criminal history.
- b. The Magistrate or Municipal Judge shall serve the defendant with a Notice of Mandatory Court Appearances (see attached) at the time of the bond hearing. The defendant's attendance at the Initial General Sessions Appearance hearing and docket appearance hearing shall be made a condition of the defendant's bond by noting such in Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form. The dates of the Initial General Sessions Appearance hearing and the docket appearance hearing shall be assigned in accordance with the schedule prepared and supplied by the Solicitor's Office.
- c. During the course of the bond hearing the Magistrate or Municipal Judge shall inform the defendant in writing and orally of his or her right to a Preliminary Hearing. Preliminary Hearings shall be waived or scheduled at the Initial General Sessions Appearance.
- d. At the conclusion of their bond hearing, all General Sessions defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for

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appointment of counsel. Such screening will be done in a manner as prescribed by the Clerk of Court in consultation with the Barnwell County Public Defender. Should the Court determine that the defendant qualifies for court appointed counsel; the Judge shall assign the Barnwell County Public Defender's Office to represent the defendant. The Magistrates and Municipal Judges shall maintain a record of the defendants who qualify for court appointed counsel and shall notify the public defender's office, in writing via fax or email, of their appointment at the conclusion of each day's bond hearing.

- e. Magistrates and Municipal Judges shall transmit warrants to the Clerk of Court within 15 days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure.

II. DISCOVERY

- a. All law enforcement agencies shall provide copies of General Sessions case reports, together with all witness statements, video and audio tapes, photographs and diagrams, and any other material included in the law enforcement case file, to the Solicitor's Office within ten (10) days of the arrest of the defendant. If the case file remains incomplete fifteen (15) days after arrest, law enforcement shall provide the Solicitor's Office that portion of the report that is complete, together with a listing of those items for which law enforcement is waiting.
- b. The Solicitor's Office shall prepare a defense discovery packet on all General Sessions cases before the defendant's Initial General Sessions Appearance date. Further, the Solicitor's Office shall provide the defense discovery packet, on or before the Initial General Sessions Appearance date, to any attorney that has filed a general letter of representation along with the appropriate discovery request with the Solicitor's Office.
- c. The Solicitor's Office shall prepare a written plea offer for every General Sessions case before the defendant's initial appearance date. The plea offer shall be provided, on or before the defendant's initial appearance date, to any attorney that have filed a general letter of representation with the Solicitor's Office. As a matter of practice the written plea offer shall at a minimum contain a listing of the charges contemplated by the offer, the terms of the offer and the expiration date of the offer.

III. INITIAL GENERAL SESSIONS APPEARANCE

- a. The Initial General Sessions Appearance shall be presided over by a Magistrate who will be assigned by the Chief Magistrate.
- b. The following Parties must attend: the Defendant, his/her Defense Attorney, a representative of each arresting law enforcement agency with authority to negotiate disposition of warrants, assigned Solicitors. And appropriate Solicitor support staff.
- c. The Initial General Sessions Appearance hearing will be held in Barnwell County Courthouse as set forth in the schedule prepared and supplied by the Solicitor's Office. Roll call will be conducted as necessary to ensure attendance. The Clerk is

authorized to issue bench warrants for those defendants who fail to appear and have not been excused by the Solicitor's Office or the Chief Administrative Judge for General Sessions Court.

- d. The Barnwell County Sheriff's Office shall provide security for Initial General Sessions Appearance.
- e. There shall be no continuances of Initial Appearances. Defendants may be excused from Initial General Sessions Appearance, by the Solicitor's Office if all matters to be addressed during Initial Appearance have been addressed by the parties prior to the hearing, and the required paperwork has been filed with the Solicitor's Office within 48 hours of the scheduled initial appearance.
- f. The issue of legal representation shall be addressed at the Initial General Sessions Appearance hearing. The Preliminary Hearings shall be either waived or scheduled at the Initial General Sessions Appearance.
- g. If a defendant qualifies for a Public Defender, but has retained private counsel prior to the Initial General Sessions Appearance date, then that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor. The Public Defender shall be relieved of representation at that time.
- h. If a defendant did not qualify for a Public Defender, and private counsel has been retained, then a letter of representation must be filed with the Solicitor's Office on or before the Initial General Sessions Appearance.
- i. Unrepresented defendants may apply for a Public Defender at the Initial General Sessions Appearance. Applications will be taken by the clerk and, if approved, will be assigned that day.
- j. Defendants who remain unrepresented at the Initial General Sessions Appearance must appear at the next term of General Sessions court and remain in Court throughout that term until excused by the Court or the Solicitor's Office. These defendants must appear for each successive term of Court as required by their bond until the disposition of their case.
- k. In all cases where the defendant is represented by the Public Defender the Public Defender shall assess the case at the Initial General Sessions Appearance for possible conflicts on that date. The Clerk shall, upon Affidavit of Conflict, appoint the next attorney from the conflict list and advise the defendant as to the identity of their attorney. The newly appointed counsel shall also be notified.
- l. Issues of competency shall be addressed at the Initial General Sessions Appearance. When appropriate, defense counsel shall move for a competency evaluation, and the State may consent to a competency evaluation of the subject defendant at the Initial General Sessions Appearance. In the alternative, the State and defense may schedule a hearing to determine if a competency evaluation is necessary.
- m. In all cases where it is feasible to do so, at the Initial General Sessions Appearance the defendant and the State shall enter into negotiations concerning pleas and scheduling. All offers tendered at the Initial General Sessions Appearance must be accepted or rejected by Monday of the next term of General Sessions's court.
- n. In order to be prepared to respond to the State's plea offer in a timely manner, all defense attorneys shall meet in person with their clients prior to the Initial General

Sessions Appearance, if at all possible, for the purpose of discussing the State's plea offer and all other matters relating to the defendant's case. If they are unable to meet prior to the Initial General Sessions Appearance a meeting shall be set at the Initial General Sessions Appearance and scheduled within a week to timely respond to the State's plea offer.

- o. Prior to the Initial General Sessions Appearance, the case will be assigned a final disposition date approximately one hundred twenty (120) days from the date of the Initial General Sessions Appearance. Should the disposition date fall on a non-court week, it will be extended until the end of the next term of court. The disposition date will be calculated from the Initial General Sessions Appearance date. It is the objective of all parties to have every case concluded on or before its assigned disposition date. All cases involving loss of life (murder, voluntary manslaughter, felony DUI, etc.) are not assigned a final disposition date and will not be used to calculate Cooperative Case Management case disposition statistics. The Solicitor shall maintain a record of such designated cases to monitor them and provide information regarding them to the Chief Administrative Judge. Cases with complicated forensic, mental health or other compelling issues may be designated complex by the Solicitor, and be put in the exempt track. These cases will not be assigned a final disposition date and will not be used to calculate Cooperative Case Management case disposition statistics.



IV. INDICTMENTS

- a. All General Sessions cases to be presented for indictment shall be presented to the Bamberg County Grand Jury within ninety (90) days of the case being transmitted by the Clerk of Court to the Solicitor's Office and in accordance with the ***South Carolina Rules of Criminal Procedure***. This Court recognizes that due to the nature or type, certain cases may not be prepared to go to the Grand Jury within ninety days and grants an extension in those instances.
- b. In accordance with South Carolina law, no preliminary hearings will be held on indicted cases.

V. REFER FOR ADDITIONAL INVESTIGATION

- a. If the assigned prosecutor determines, within ninety (90) days of the date of arrest, that insufficient evidence exists to present a case to the Grand Jury, he or she may refer the warrant(s) back to the investigating agency for further investigation.
- b. Upon referral, the assigned prosecutor shall provide written notification to the victim(s) if applicable, and the investigating agency of the change in status of the warrant. The investigating agency shall have ninety (90) days from the date of referral to conduct such additional investigation as requested and as it deems appropriate and shall present any additional evidence to the assigned prosecutor for consideration.
- c. Upon providing notice of referral for further investigation, the Solicitor's Office

- shall remove the warrant(s) from the assigned prosecutor's pending case list and shall classify them separately as "referred for further investigation".
- d. Once the investigating agency has concluded its additional investigation, it shall present its evidence to the assigned prosecutor, whom will then determine if sufficient evidence exists to present the case to the Grand Jury or otherwise advance the prosecution.
 - e. Should the investigating agency fail to present sufficient evidence to the assigned prosecutor within ninety days , then the Solicitor's Office shall administratively dismiss the warrant(s) without prejudice and shall notify the victim(s) if applicable, and the investigating agency
 - f. Should the assigned prosecutor determine that sufficient evidence exists to advance the prosecution of the case, it shall restore the warrant(s) back to the his or her pending case list so that he or she may take the steps necessary to move the case toward disposition. The assigned prosecutor may request that a referred warrant be restored at any time prior to the warrant's administrative dismissal deadline.
 - g. Nothing in this section shall be construed as limiting the state's authority to directly present criminal cases to the Grand Jury for indictment.



VI. GENERAL SESSION, ROLL CALL AND STATUS CONFERENCE

- a. The Docket Appearance hearing will be held along with general roll call at the Barnwell County Courthouse on the designated Mondays at 9:00 am of scheduled terms of General Sessions Court. General roll call will include those defendants whose cases have been directly presented to the Grand Jury and/or whose docket appearance dates have passed without the disposition of their cases. The general roll call docket will be prepared by the Solicitor's Office and posted as set forth above. Defendants and defense counsel are required to appear for Docket Appearance and general roll call and must remain until excused by the Court or a representative of the Solicitor's Office. The Clerk is authorized to issue bench warrants for those defendants who fail to appear for Docket Appearance or general roll call and also for those defendants that fail to remain until excused from Docket Appearance or general roll call. Attorneys for the state and defense that fail to appear are subject to being held in contempt.
- b. All the parties shall, during this appearance, engage in final plea negotiations. In those cases where a plea agreement or other disposition is reached, the parties shall prepare the necessary paperwork, obtain the necessary signatures, and/or schedule the plea as needed to dispose of the case.
- c. Plea Offers shall expire at the end of the business day on the Docket Appearance date and in general will not be extended unless the defendant can demonstrate a material change in circumstances or some other exceptional situation.
- d. The presiding General Sessions Court Judge will hold Status Conferences for cases that remain unresolved on the Monday of the Docket Appearance hearing or at such other convenient time for the purpose of assisting the parties in resolving cases.
- e. Defendants who remain unrepresented on their Docket Appearance must be

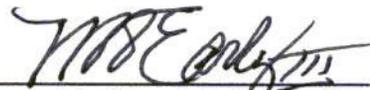
present in Court throughout the following term. These defendants must appear for each successive term of Court as required by their bond until their case is disposed.

VII. GENERAL SESSIONS COURT PACKAGE

- a. A proposed trial roster shall be prepared fourteen (**14**) days prior to the terms of court by the Solicitor's Office and provided to the Public Defender for Barnwell County, all private defense lawyers representing Defendants on the proposed trial roster, and the Chief Administrative Judge for General Sessions Court.
- b. In addition to the trial roster referred to above, a roll call roster shall be prepared for each term of General Sessions Court. Both the proposed trial roster and the roll call roster shall be prepared and published at least fourteen (14) business days prior to the term of Court and will be posted in the Courthouse, provided to the Chief Public Defender for Barnwell County, and to the Chief Administrative Judge for General Sessions Court.
- c. All motions for continuance and requests for orders of protection shall be served upon the Chief Administrative Judge for General Sessions Court or his designee and the Solicitor's Office no later than seven (7) days prior to the commencement of the court term. The Court will endeavor to hear and rule on the motions for continuance and requests for orders of protection before the commencement of the term of court.
- d. During a term of General Sessions Court all assigned solicitors and public defenders shall be present in the designated courtrooms no later than 9:00 am for the morning session of court and 1:30 pm for the afternoon session of court, unless otherwise directed by the presiding Judge.

Nothing in this order shall be construed by this Court or any other Court as reason as a reason for a case to be judicially dismissed. This order is intended to be strictly administrative in nature.

IT IS SO ORDERED.



The Honorable Doyet A. Early III
Chief Administrative Judge
Second Judicial Circuit

January 10, 2008
Barnwell, South Carolina

THE STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
) SECOND JUDICIAL CIRCUIT
 COUNTY OF BARNWELL)
)
 THE STATE OF SOUTH CAROLINA)
)
 VS.) NOTICE OF DATE AND TIME
) OF
) MANDATORY COURT INITIAL APPEARANCE
 _____ Defendant)

Warrant Number(s): _____

****THIS IS THE ONLY NOTICE YOU WILL RECEIVE**
 KEEP A COPY FOR YOUR RECORDS**

You are a Defendant in a Criminal Case. You are required to appear at:

The Barnwell County Courthouse, 141 Main Street, Barnwell, South Carolina 29812
 The dates and times of these appearances CANNOT be changed for any reason.

Your INITIAL APPEARANCE is set for the _____ day of
 _____, 20____ at 1:00 a.m. in the Main Courtroom.

FAILURE TO APPEAR WILL RESULT IN YOUR ARREST

You MUST be present at this appearance. If you FAIL TO APPEAR on this date and time, a Bench Warrant will be issued for your arrest; you will be placed in jail and may be held until the trial of your case.

- I waive any right to the services of a Public Defender. I understand that I must either hire a private attorney or represent myself. _____
- You **have not qualified** for a Public Defender. You must either hire a private attorney or represent yourself.
- You have qualified for a Public Defender. You will go to the Clerk of Court's Office at 141 Main Street (inside the courthouse. There is a State mandated application fee of \$40.00 you must pay at that time. You must take copies of Warrants with you or you cannot be processed. **Failure to do so may result in your bond being revoked.**

FAILURE TO OBTAIN AN ATTORNEY MAY RESULT IN YOUR BOND BEING REVOKED, BEING HELD IN CONTEMPT OF COURT, FINES, AND/OR JAIL.

I HAVE READ THIS FORM OR HAVE HAD IT READ TO ME. I UNDERSTAND THESE INSTRUCTIONS, AND I HAVE BEEN GIVEN A COPY TO KEEP.

 Defendant's Signature

 Judge's Signature

 Date

 Date



RECORDED

2011 AUG 25 AM 11:52

JAMES C. CAMPBELL
CLERK OF COURT
SUMTER COUNTY, S.C.

State of South Carolina

Court of the Third Judicial Circuit

HOWARD P. KING
RETIRED JUDGE

August 24, 2011

115 NORTH HARVIN STREET, ROOM 610
COUNTY OFFICE BUILDING
POST OFFICE BOX 189
SUMTER, SOUTH CAROLINA 29151-0189
TELEPHONE (803) 774-3852
FAX (803) 774-3853
E MAIL: hkingj@sccourts.org

TO: Third Circuit Solicitors, Public Defenders, Clerks of Court and Law Enforcement Agencies

FROM: Howard P. King, Administrative Judge (GS), Third Judicial Circuit

SUBJECT: Differentiated Case Management, Court of General Sessions

In December 2007 a differentiated case management system was implemented for processing cases in the Court of General Sessions on all cases in which the arrest was made after January 1, 2008. This system was implemented by an Administrative Order for each county issued by the Circuit Court and approved and adopted by the Supreme Court and filed in the office of the Clerk of Court in each of the four counties. In furtherance of these Orders the Court held an informational meeting in early 2008 to explain and answer questions regarding implementation of Differentiated Case Management (DCM).

It is now clear that while some minor compliance has been attempted, the DCM system specified in the Administrative Orders is not being followed. Sufficient time has elapsed for all agencies affected by the Orders to be thoroughly familiar with the requirements and to have fully implemented and complied, including the integration of the Spartan software program.

The Court is going to conduct another informational meeting on **November 22, 2011, at 2:30 P.M.** in the **O.V. Player (main) Courtroom** of the **Sumter County Courthouse** for the purpose of explaining the requirements of the DCM Orders and to answer questions. The Court will also accept suggestions regarding amendments to the Orders that would improve the process.

This meeting is **mandatory** for the following personnel:

1. Solicitor and Assistant Solicitors;
2. Public Defender and Assistant Public Defenders;
3. A representative of each law enforcement agency who will be responsible for that agency's compliance.
4. Deputy Clerk of Court for each county who is responsible for General Sessions matters.

Members of the criminal defense bar will be required to comply with DCM orders and are encouraged to attend.

Everyone should obtain a copy of and read and be familiar with the DCM Order before the meeting.

AUG 25 2011

STATE OF SOUTH CAROLINA)
COUNTY OF SUMTER)

THIRD JUDICIAL CIRCUIT
GENERAL SESSIONS COURT

ADMINISTRATIVE ORDER

This Court orders that all General Sessions cases in which an arrest is made after January 1, 2008 will be processed through the Court under the principles of a case management system. In accordance with the requirements of this system the following rules are adopted.

I. Bond Hearing

- A. Magistrates and Municipal Judges are required to transmit warrants to the Clerk of Court within fifteen (15) days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure.
- B. All defendants will be advised in writing that he/she must, within fifteen (15) days of arrest date, apply to the Clerk of Court and pay the \$40.00 application fee for the appointment of a Public Defender, unless private counsel has been retained. This is a condition of the defendant's bond and will be noted on the bond form. Failure to comply may result in revocation of the bond. If the defendant has not made bond and is still incarcerated after fifteen (15) days, the Magistrate will appoint the Public Defender. A copy of the order of appointment will be given to the defendant, and a copy sent to the Public Defender, the Solicitor, and the Clerk of Court.
- C. At the bond hearing the defendant will be served with a notice of the General Sessions initial appearance by providing him/her with a copy of the bond form. The date of the initial appearance and the term of court will be assigned in accordance with the schedule prepared by the Solicitor's Office. The date, time and place of the initial appearance and the term of court will be noted on the bond form and initialed by the defendant. Attendance of the defendant at the initial appearance, unless waived in writing on Form A attached, is a condition of bond as are any other conditions required by law or noted as special conditions on the bond form.
- D. When a defendant makes bond, all Magistrate and Municipal Judges are required to transmit all original bond forms and bond paperwork within ten (10) days to the Clerk of Court. The Clerk of Court is then required to forward copies of the bond forms

within ten (10) days to the office of the Solicitor, including but not limited to bond forms and powers of attorney.

- E. All defendants will be advised orally and in writing of their right to a preliminary hearing in accordance with Rule 2(a) of South Carolina Rules of Criminal Procedure. Dates for preliminary hearings will be scheduled in accordance with Rule 2(b) of the South Carolina Rules of Criminal Procedure.

II. Initial Appearance

- A. Initial appearance will be held at the County Courthouse as set by the Solicitor. Roll call will be conducted as is necessary to ensure attendance. Any defendant who has applied for and been approved for Pretrial Intervention is excused from the initial appearance.
- B. A bench warrant may be issued for any defendant who does not appear for his/her initial appearance.
- C. The following issues will be addressed at the Initial Appearance:
 - 1. If a defendant qualifies for Court appointed counsel and has not retained private counsel by the initial appearance date, the public defender or appointed lawyer will continue to represent the defendant.
 - 2. If a defendant qualifies for a Public Defender but has retained private counsel prior to the initial appearance date, that attorney must file a notice of representation with the Clerk of Court and serve a copy on the Solicitor's office and on the public defender's office. At that time, the public defender will be relieved of representation.
 - 3. If a defendant did not qualify for a public defender and private counsel has been retained, then a letter of representation must be filed with the Clerk of Court and served on the Solicitor's Office.
 - 4. Defendants who remain unrepresented at the initial appearance must appear at their docket appearance date and remain in court until their case is disposed. These defendants must also appear for each successive term of court as required by their bond unless otherwise ordered by the Court.
 - 5. Any mental health issues.

6. Any issues related to the analysis of drugs or other types of evidence.
 7. Any other issue that may affect the timing of the disposition of the criminal case.
- D. All law enforcement agencies are required to forward incident reports along with written statements and NCIC reports or driving records to the Solicitor's office within fifteen (15) days after arrest. Additionally, all law enforcement agencies must transmit all materials to which SCR Crim P Rule 5 apply, and all Brady materials to the Solicitor within fifteen (15) days after arrest. Video and audio tapes, or copies of them must also be sent. Materials subsequently received will be sent within fifteen (15) days after receipt.
 - E. The Solicitor's office and the defense counsel will exchange their respective discovery information at or prior to the initial appearance, provided the proper motions are filed with the Clerk of Court and served upon opposing parties. In any event, discovery information will be furnished within fifteen (15) days after the initial appearance or as provided by Rule 5, SCR Crim P (which ever period is shorter).
 - F. The Solicitor will prepare and present all indictments to the Grand Jury as provided in Rule 3, SCR Crim P.
 - G. In all cases where it is feasible to do so, the defendant and the State will enter into negotiations concerning guilty pleas at or before the initial appearance. If a plea offer cannot be made at the initial appearance, it must be made within fifteen (15) days thereafter. Any offers must be in writing and must be accepted or rejected by the docket appearance, which will be not less than seventy-five (75) days after the initial appearance. Offers not accepted may be withdrawn.
 - H. If the plea negotiations are unsuccessful by the docket appearance, the case will be scheduled for trial according to one of two dispositional tracks. The tracks are 180, 270 and 365 days. The length of the track in which a case is placed determines the disposition date of the case. The disposition date is calculated from the initial appearance date. If the disposition date falls in a non-court week, it will be extended until the next term of General Sessions Court.
 - I. Assignment of cases to a track will be the responsibility of the Solicitor's office and done at the sole discretion of the Solicitor's office.

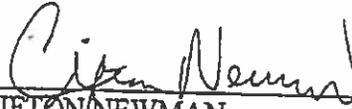
- J. The 365 day track are cases which are Class A and B felonies along with lesser charges associated with the defendant.
- K. The 270 day track are Class C, D, and E felonies, along with any lesser charges associated with the defendant and are not associated with a greater charge on the 365 day track.
- L. The 180 day track are Class F felonies and all misdemeanors provided these cases are not associated with a greater charge on the 270 or 365 day track.
- M. The following cases are exempt from either tracking system:

- (1) Homicide cases;
- (2) Criminal sexual conduct cases;

III. General Sessions Court Practice

- A. At least seven (7) days before each term of court, the Solicitor shall prepare and publish a docket of all cases that are subject to call during the term of court. Making the docket available in the Solicitor's office shall effect publication. The Solicitor's office will also distribute the docket to all attorneys who have cases on the docket either by fax, U.S. mail, e-mail transmission, or hand delivery. It is the responsibility of all attorneys who have clients on this docket to notify their clients that their case is scheduled for disposition. Scheduling cases for ultimate disposition in accordance with this Order is in the discretion of the Solicitor.
- B. Status conferences for cases that have not yet been settled or set for trial may be held during the terms of General Sessions Court and can be requested by either the Solicitor's office or defense counsel.
- C. Nothing in this Order shall be construed by this court or any other court as a reason for a case to be judicially dismissed. This Order is intended to be strictly administrative in nature.

AND IT IS SO ORDERED.

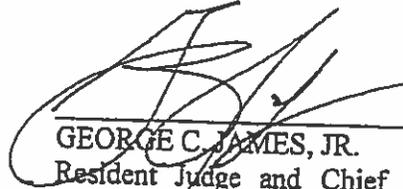


CLIFTON NEWMAN

Chief Administrative Judge (July 1, 2007 -

December 31, 2007)

Third Judicial Circuit

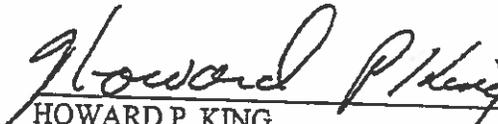


GEORGE C. JAMES, JR.

Resident Judge and Chief Administrative

Judge (January 1, 2008 - June 30, 2008)

Third Judicial Circuit

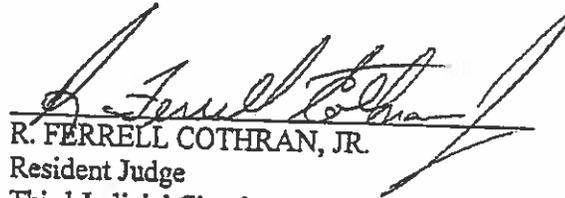


HOWARD P. KING

Chief Administrative Judge (July 1, 2008

December 31, 2008)

Third Judicial Circuit



R. FERRELL COTHRAN, JR.

Resident Judge

Third Judicial Circuit

K. W. Justice, South Carolina

December 20, 2007

FORM "A"

INITIAL APPEARANCE ATTENDANCE WAIVER

State vs. _____

Charge(s) _____

Initial Appearance Scheduled for _____

Assigned Solicitor: _____

Retained Counsel/Public Defender: _____

Track Assigned: 180/270/365

Discovery Provided? Yes/No Complete/Incomplete _____

Drug Analysis Provided? Yes/No

Plea Offer Made? Yes/No

Special Issues/Motions Filed:

Defendant notified of 2nd Appearance Scheduled for _____, _____

Signature of Solicitor

We agree that the above information is accurate and certify that attendance at initial Appearance is unnecessary. The Defendant and Defense Counsel waive the right to Appear at the Initial Appearance and agree and understand that a failure to appear at the 2nd Appearance or any other scheduled court date may subject the defendant to a contempt citation, bench warrant and incarceration. The Defendant understands that no other notice will be given of the 2nd Appearance date.

Defendant

Date: _____

Counsel for Defendant

E. The Victim's Information Form shall contain the "mailing" as well as the "physical" address of each victim.

F. The Solicitor may return a warrant to the appropriate law enforcement agency for further investigation. Upon return the State shall notify the Clerk of Court of all returned warrants, and such cases shall be removed from the State's pending case list and classified separately, until the investigation is complete and the case is accepted for prosecution by the Solicitor's Office. Any warrant not returned to the Solicitor's Office and accepted for prosecution within ninety (90) days from the date of the Return shall be administratively dismissed without prejudice by the Clerk of Court. The Solicitor's Office must notify the Clerk of Court of a completed investigation and acceptance of prosecution.

II. BOND HEARING

- A. The on call prosecutor from the Solicitor's Office shall attend General Sessions Court bond hearings held at the Chesterfield County Detention Center IF REQUESTED.
- B. In addition to their statutory duties, the victim/witness advocates on duty at the Chesterfield County Detention Center shall, prior to bond court, provide to the prosecutor on call a packet for each General Sessions case consisting of the incident report, warrant/ticket, and defendant's criminal history. This applies in cases where a prosecutor has been requested to attend a bond hearing.
- C. Prior to bond court, the prosecutor on call, if presence is requested at the bond hearing, shall review all appropriate General Sessions cases and make an initial review regarding disposition. As justice dictates, the Solicitor may remand or dismiss the case at the bond hearing. On all other General Sessions charges, the Solicitor shall be prepared to make a recommendation to the presiding Magistrate or Municipal Judge regarding the bond amount, if his/her presence is required at the said hearing.
- D. The Magistrate or Municipal Judge shall serve the defendant with a Notice of Mandatory Court Appearances (see attached) at the time of the bond hearing. The defendant's attendance at the Initial Appearance and Docket Appearance shall be made a condition of the defendant's bond by noting such in Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form. The dates of the Initial Appearance and the Docket Appearance shall be assigned in accordance with the schedule prepared and supplied by the Solicitor's Office. Copies of all notices shall be transmitted to the Solicitor's Office. This may be accomplished by U.S. mail at the end of the week.
- E. At the conclusion of their bond hearings, all General Sessions defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for appointment of counsel. Such screening will be done in a manner as prescribed by Court Administration. Should the Court determine that the defendant qualifies for

287
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court appointed counsel, the Judge shall assign the Chesterfield County Public Defender's Office to represent the defendant by completing the appropriate box on the Notice of Date and Time of Mandatory Court Appearances form. The Court shall not accept the application fee from any defendant, but must advise the Defendant that, as a condition of his/her bond, he/she must pay the \$40.00 application fee to the Clerk of Court within 15 days of his/her release on bond. Additionally, the Defendant shall be advised that if the fee is not paid by the Initial (first) Appearance date, the bond may be revoked by the presiding General Sessions Judge at the next term of court. If the magistrate or municipal judge finds that the Defendant does not qualify for appointed counsel, the appropriate box on the Notice of Date and Time of Mandatory Court Appearances form shall be completed. In either case, the original copy of the form and the original Application for Counsel shall be forwarded to the Clerk of Court. At any ensuing term of General Sessions Court, the Clerk of Court shall advise the presiding judge of any Defendant released on bond for whom counsel has been appointed but who has not paid the application fee. The presiding judge may revoke the bond and require that the Defendant be held pending disposition of the charge(s). The Clerk of Court shall notify the Public Defender of appointments by mailing a copy of the Notice of Mandatory Court Appearances.

- F. Magistrates and Municipal Judges shall transmit warrants, notices of Mandatory Court Appearances, and bonds to the Clerk of Court within 15 days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure.

III. DISCOVERY

- A. All law enforcement agencies shall provide copies of General Sessions case reports, together with all witness statements, video and audio tapes, photographs and diagrams, and any other material included in the law enforcement case file, to the Solicitor's Office within thirty (30) days of the arrest of the defendant. If the case file remains incomplete thirty days after the arrest, law enforcement shall provide the Solicitor's Office that portion of the report that is complete, together with a listing of those items for which law enforcement is waiting.
- B. The Solicitor's Office shall prepare defense discovery packets on all General Sessions cases within forty-five (45) days of arrest. The defense discovery packets shall be provided within forty-five (45) days of arrest to all attorneys who have filed a general letter of representation along with the appropriate discovery requests with the Solicitor's office.
- C. The Solicitor's Office shall prepare a written plea offer for all General Sessions cases within forty-five (45) days of arrest to all attorneys that have filed a general letter of representation with the Solicitor's Office.

IV. INITIAL APPEARANCE

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- A. The Initial Appearance will be held in the Courtroom of the Chesterfield County Courthouse Wednesday at 9:00 am as set forth in the schedule prepared and supplied by the Solicitor's Office. Roll call will be conducted as necessary to ensure attendance. The Clerk is authorized to issue bench warrants for those defendants who fail to appear and have not been excused by the Solicitor's Office or the Chief Administrative Judge for General Sessions Court.
- B. There shall be no continuances of Initial Appearances. All defense attorneys and their client defendants must appear at the Initial Appearance.
- C. Defendants and/or their attorneys may be excused from Initial Appearance hearings, in writing, by the Solicitor's Office if all matters to be addressed during the Initial Appearance have been addressed by the prosecution and defense prior to the hearing.
- D. The issue of legal representation shall be addressed at the Initial Appearance.
1. If a defendant qualifies for a Public Defender, but has retained private counsel prior to the Initial Appearance date, then that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor. The Public Defender shall be relieved of representation at that time.
 2. If a defendant did not qualify for a Public Defender, and private counsel has been retained, then a letter of representation must be filed with the Solicitor's Office on or before the Initial Appearance date.
 3. Defendants who remain unrepresented at the Initial Appearance must appear for their Docket Appearance and remain in Court throughout the next court term until excused by the Court or the Solicitor's Office. These defendants must appear for each successive term of Court as required by their bond until their cases are disposed.
 4. In all cases where the defendant is represented by the Public Defender, the Public Defender shall assess the case for possible conflicts of interest and, if necessary, shall file an Affidavit of Conflict with the Clerk of Court prior to the Initial Appearance. . The Clerk shall, upon Affidavit of Conflict, appoint the next attorney from the conflict list prior to the Initial Appearance and advise the defendant as to the identity of his or her attorney. The newly appointed counsel shall also be notified.

497
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- E. Issues of competency shall be addressed at the Initial Appearance. When appropriate, defense counsel shall move for a competency evaluation, and the state may consent to a competency evaluation of the subject defendant at the Initial Appearance. In the alternative, the State and defense may schedule a hearing to determine if a competency evaluation is necessary.
- F. In all cases where it is feasible to do so, at Initial Appearance the defendant and the State shall enter into negotiations concerning pleas and scheduling. All offers tendered at the Initial Appearance must be accepted or rejected by the defendant's Docket Appearance date.
- G. In order to be prepared to respond to the State's plea offer in a timely manner, all Public Defenders and conflict Court-appointed counsel shall meet in person with their clients prior to the Docket Appearance for the purpose of discussing the State's plea offer and all other matters relating to the defendant's case. It is suggested that the Public Defender use the Initial Appearance to schedule appointments for this purpose.
- H. Prior to the Initial Appearance, the case will be assigned to disposition date in one of three dispositional tracks. These tracks will be 180, 270, and 365 days. Assignment of cases to tracks is the responsibility of the Solicitor's Office and is done at the sole discretion of the Solicitor. It is the objective of all parties to have every case concluded on or before its disposition date. Should the disposition date fall on a non-court week, it will be extended until the end of the next term of court. Homicide, criminal sexual conduct cases, and such other cases deemed by the Solicitor to be especially time-consuming are an exception to this system and will not be assigned a disposition date. The disposition date is calculated from the Initial Appearance date.

V. INDICTMENTS

- A. All General Sessions cases to be presented for indictment shall be presented to the Chesterfield County Grand Jury within ninety (90) days in accordance with Rule 3 of the South Carolina Rules of Criminal Procedure. This Court recognizes that due to their nature or type, certain cases may not be prepared to go to the Grand Jury within ninety days and grants an extension in those instances.
- B. In accordance with South Carolina law, no preliminary hearings will be held on indicted cases.

VI. DOCKET APPEARANCE

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- A. The Docket Appearance will be held in the Courtroom of the Chesterfield County Courthouse on Wednesday at 2:00 pm as set forth in the schedule prepared and supplied by the Solicitor's Office. Roll call will be conducted as necessary to ensure attendance. The Clerk is authorized to issue bench warrants for those defendants who fail to appear and have not been excused by the Solicitor's Office or the Chief Administrative Judge of General Sessions Court.
- B. All parties shall, during this appearance, engage in final plea negotiations. In those cases where a plea agreement is reached, the parties shall prepare the necessary paperwork, obtain the necessary signatures, and schedule the plea.
- C. Plea offers shall expire at the end of the business day on the Docket Appearance date and will not be extended unless the defendant can demonstrate a material change in circumstances or some other exceptional situation.
- D. The presiding General Sessions Court Judge will hold Docket Appearance status conferences on cases that remain unresolved during the next General Sessions Court week following the Docket Appearance to assist the parties in resolving their cases, to allow the State to withdraw its plea offer, to address attorney issues, advise of the possibility of waiver of counsel, and advise of trial "in absentia". Status conferences may be used to assist the parties in reaching agreements.
- E. Defendants who remain unrepresented on their Docket Appearance date must be present in Court throughout the following term. These defendants must appear for each successive term of Court as required by their bond until their case is disposed.
- F. All defense attorneys and their client Defendants must appear at the Docket Appearance unless excused, **in writing**, by the Chief Administrative Judge of General Sessions Court.

VII. GENERAL SESSIONS COURT PRACTICE

- A. A trial roster and roll call roster shall be prepared for each term of General Sessions Court. For consecutive terms, the rosters may cover two terms of court. The rosters shall be prepared and published at least seven (7) business days prior to the term of Court by posting in the Courthouse, provided to the Chief Public Defender for Chesterfield County, to other counsel of record, and to the Chief Administrative Judge for General Sessions Court.
- B. The Solicitor's Office shall set the order of trials.

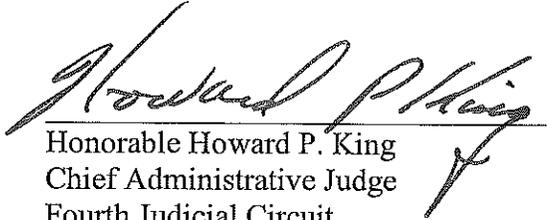
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C. All motions for continuance and requests for orders of protection shall be submitted to the presiding Judge and Solicitor's Office no later than seven (7) days prior to the commencement of the Court term. The Court will endeavor to hear and rule on the motions for continuance and requests for orders of protection before the commencement of the term of Court.

D. During a term of General Sessions Court, all assigned Solicitors and Public Defenders shall be present in the designated courtroom no later than 9:00 am for the morning session of court and 1:30 pm for the afternoon session of court, unless excused by the presiding Judge.

E. Nothing in this order shall be construed by this Court or any other Court as a reason for a case to be judicially dismissed. This order is intended to be strictly administrative in nature.

IT IS SO ORDERED.


Honorable Howard P. King
Chief Administrative Judge
Fourth Judicial Circuit

At Spartanburg, SC
November 14, 2007.

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STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

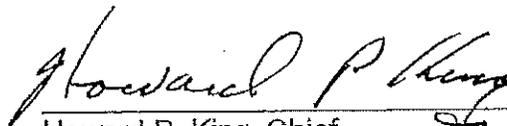
IN THE COURT OF GENERAL SESSIONS
FOURTH JUDICIAL CIRCUIT

AMENDMENT TO COOPERATIVE
CASE MANAGEMENT ADMINISTRATIVE
ORDER DATED 18 APRIL 2007

The Cooperative Case Management Administrative Order has been in effect since 1 June 2007. The following are amendments to that Order:

1. Effective October 1, 2007, the Darlington County Public Defender shall collect the \$40.00 application fee ordered by the court and owed by the defendant.
2. If a defendant does not appear for each of his or her Docket Appearances, a bench warrant shall be issued, unless the appearance was waived by the solicitor.
3. The Clerk of Court shall meet with defendants who are in jail on a bench warrant and whose arrest date was prior to 1 June 2007 to screen them for attorney representation. Also, the Clerk shall follow up with any defendant who did not qualify for a public defender at the bond hearing, but has been incarcerated for fifteen (15) days or longer and is not represented by Counsel to screen them for attorney representation.
4. Summary Court Judges shall screen and appoint attorneys for the violations of probation and attach the screening form to a copy of the warrant and transmit both to the Clerk of Court. Judges shall indicate at the top of the screening form that the charge(s) are violations of probation.

AND IT IS SO ORDERED!



Howard P. King, Chief
Administrative Judge for the Fourth
Judicial Circuit

Santini, SC
Oct 5, 2007

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SCOTT B. SUGGS
CLERK OF COURT/R.O.D.
DARLINGTON COUNTY, S.C.

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)
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)
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IN THE COURT OF GENERAL SESSIONS
FOURTH JUDICIAL CIRCUIT

COOPERATIVE CASE MANAGEMENT
ADMINISTRATIVE ORDER

Pursuant to the authority vested in this Court by the attached Administrative Order issued by the Honorable Chief Justice Jean Toal of the South Carolina Supreme Court, the following Cooperative Case Management Administrative Order is hereby adopted by this Court for the General Sessions Court in Darlington County.

This Court hereby declares and orders that all General Sessions cases arising after June 1, 2007, shall be processed through the Court under the principles of the system known as Cooperative Case Management. In accordance with the requirements of this system, the following rules are hereby adopted.

The Court hereby directs that in each General Sessions case arising before the various Magistrates and Municipal Courts of this County, the following shall be done:

I. ARREST WARRANTS & CDR CODES

- A. Warrants shall be filled out completely and correctly. The section in the upper left hand corner that identifies the defendant shall be completed at the time the warrant is obtained from the Magistrate or Municipal Judge. This information includes, but is not limited to, defendant's physical address, social security number, date of birth, sex, race, height, weight and any other information that is applicable. This information shall be added to the original warrant at the bond hearing should the information be unavailable at the time of the issuance of the warrant. Incomplete warrants will be returned by the Solicitor's office to the issuing agency.
- B. Each citizen's warrant shall be accompanied by a complete incident report from law enforcement. This incident report shall be presented to the Magistrate or Municipal Judge prior to the issuance of the warrant. Said incident report shall be attached to the warrant and transmitted to the Clerk of Court's office. The Clerk of Court shall transmit the warrant and the incident report to the Solicitor's office.

C. The initial incident report shall be attached to each warrant and transmitted to the Clerk's office. The Clerk shall transmit the warrant and the incident report to the Solicitor's office.

TRUE CERTIFIED COPY
Scott B. Suggs
CLERK OF COURT/BMC
DARLINGTON

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Revised: 12 April 2007

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Page 1

- D. Each charge has a CDR offense code assigned by the South Carolina Court Administration and provided to the Magistrate and the Municipal Judge. Each warrant shall reflect the current code number from Court Administration on the face of the warrant in the space provided.
- E. The Victim's Information Form shall contain the "mailing" as well as the "physical" address of each victim. In addition, the Victim Information Form shall contain contact telephone number(s) to reach the victim.

II. BOND HEARING

- A. The Magistrate or Municipal Judge shall serve the defendant with a Notice of Mandatory Court Appearances (see attached -- Form 1) at the time of the bond hearing. The defendant's attendance at the Initial Appearance and Docket Appearance shall be made a condition of the defendant's bond by noting such in Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form. The dates of the Initial Appearance and the Docket Appearance shall be assigned in accordance with the schedule prepared and supplied by the Solicitor's Office. Copies of all notices shall be transmitted to the Solicitor's Office, Public Defender's office, and the Clerk of Court's office via fax or hand delivery, at the conclusion of each work week.
- B. The bond paperwork shall be properly completed by the Judge setting the bond, including, but not limited to, the proper Court along with the date and time of appearance, address of defendant, social security number, and the telephone number of the bondsman. Should a defendant have case in General Sessions and any lower court simultaneously, then the bond paperwork shall reflect the appearance for both courts, along with the date and time, on the face of bond.
- C. The following restrictions shall appear on the bond paperwork:
 - 1. The defendant shall not leave the State of South Carolina;
 - 2. The defendant shall appear for the Court date listed;
 - 3. The defendant shall abide by all laws of the State of South Carolina.
 - 4. **A further condition of bond is:** each defendant will appear at the Clerk of Court's office to pay the \$40 application fee for the Public Defender within 15 days from the date of release.
 - 5. Such "other conditions" shall appear on the bond in appropriate cases.

6. The Magistrate or Municipal Judge shall include conditions restraining the defendant from having contact, directly or indirectly, with the victim, the victim's family or any other such person.
- D. If a defendant is given a personal recognizance bond, there must be at least two (2) contact working telephone numbers and one (1) alternate address of the nearest relative listed on the bond paperwork.
- E. During the course of the bond hearing, the Magistrate or Municipal Judge shall inform the defendant, in writing and orally, of his or her right to a Preliminary Hearing. Should a hearing be desired, it shall be scheduled at that time by the court in accordance with current practice.
- F. At the conclusion of their bond hearings, all General Sessions defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for appointment of counsel. Such screening will be done in a manner as prescribed by Court Administration. Should the Magistrate's Court or Municipal Court determine that the defendant qualifies for court appointed counsel, the Judge shall appoint the Darlington County Public Defender's Office to represent the defendant. The Magistrate's Court or the Municipal Court shall not accept the application fee from any defendant, but shall advise defendants that as a condition of the bond they shall pay the Clerk of Court within fifteen (15) days from the date of release. Any fees not paid at the time of the General Sessions court appearance may be addressed by the presiding General Sessions Judge.
- G. The Magistrates and Municipal Judges shall maintain a record of defendants who qualify for court-appointed counsel and shall notify the Clerk of Court's office, the Public Defender's Office and the Solicitor's Office in writing, via fax or hand delivery, of such appointment at the conclusion of each work week.
- H. Magistrates and Municipal Judges shall transmit warrants, indigent screening forms, notices of Mandatory Court Appearances, incident reports, and bond paperwork to the Clerk of Court within 15 days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure.

III. DISCOVERY

- A. All law enforcement agencies shall provide copies of General Sessions case reports, together with all witness statements, video and audio tapes, photographs and diagrams, and any other material included in the law enforcement case file to the Solicitor's Office within twenty (20) days of the arrest of the defendant. If the case file remains incomplete twenty (20) days after the arrest, law enforcement shall provide the Solicitor's Office that portion of the report that is complete, together with an

Additional State's Discovery form (see attached – Form 2) listing of those items for which law enforcement is waiting.

- B. All case files shall have a cover sheet on the front of the file. This form shall be provided by the Solicitor's office. (see attached – Form 3) This form shall include, but is not limited to, the name of the defendant and any co-defendants, the charges pending, the victim(s) names and telephone number(s), mailing and physical address of victim, names, addresses and telephone numbers of any witness and a summary of the case. The summary shall include, but is not limited to, what occurred in the incident, how law enforcement came to arrest the defendant(s), the culpability of each defendant involved, i.e. who cooperated and who did not, and any recommendation from law enforcement as to punishment, in order to promote efficiency.
- C. The Solicitor's office may return any General Sessions warrant to the investigating agency for further investigation within ninety (90) days of the date of arrest of the defendant. (See attached Form 4). Upon return, the Solicitor's office shall notify the Clerk of Court for Darlington County of all returned warrants and such cases shall be removed from the State's pending case list and classified separately, until the investigation is complete and the case is accepted for prosecution by the Solicitor's office. The Solicitor's office, via fax, shall notify the arresting agency of any returned warrants. All returned warrants will be transmitted to the Darlington County Clerk of Court via a Warrant Return Form, provided by the Solicitor's office. Upon request of the Solicitor's office, all warrants not accepted for prosecution within ninety (90) days of the date of return shall be administratively dismissed without prejudice by the Clerk of Court for Darlington County. Nothing in this section shall be construed to deprive any victim of the rights granted under Article 1, Section 24 of the South Carolina Constitution. The Solicitor's office must notify the Clerk of Court of a completed investigation and acceptance of prosecution by the Solicitor's office.
- D. The Solicitor's Office shall prepare defense discovery packets for all General Sessions cases within forty-five (45) days of arrest. The defense discovery packets shall be provided to all defense attorneys, or to any *pro-se* defendant, at the Initial Appearance, who have filed a general letter of representation along with the appropriate discovery requests with the Solicitor's office.
- E. The Solicitor's Office shall prepare a written plea offer for all General Sessions cases within forty-five (45) days of the date of arrest and deliver the same to all defense attorneys or to any *pro-se* defendant who

has filed a general letter of representation, along with the appropriate discovery requests, with the Solicitor's office.

IV. INITIAL APPEARANCE

- A. The Initial Appearance shall be held in the Courtroom of the Darlington County Courthouse on Wednesday at 9:00 o'clock a.m. as set forth in the schedule prepared and supplied by the Solicitor's Office. However, should the 5th floor courtroom be unavailable, then roll call shall be held in the Grand Jury Room on the 5th floor. Roll call shall be conducted as necessary to ensure attendance. The Clerk shall, at the request of the Solicitor, issue bench warrants for those defendants who fail to appear or who have not been excused by the Chief Administrative Judge for General Sessions Court.
- B. There shall be no continuances of Initial Appearances except by Order of the Chief Administrative Judge for General Sessions Court. All defense attorneys and defendants must appear at the Initial Appearance.
- C. Defendants may be excused from Initial Appearance hearings, in writing, by the Solicitor's Office, only if all matters to be addressed during the Initial Appearance have been addressed by the prosecution and defense prior to the date of the Initial Appearance.
- D. When available, the presiding Circuit Court Judge may hold status conferences during this appearance to assist the parties in negotiating agreements.
- E. The issue of legal representation shall be addressed at the Initial Appearance.
 1. If a defendant qualifies for a Public Defender, but has retained private counsel prior to the Initial Appearance date, then that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor. The Public Defender shall be relieved of representation at that time.
 2. If a defendant did not qualify for a Public Defender, and private counsel has been retained, then a letter of representation must be filed with the Solicitor's Office on or before the Initial Appearance date.
 3. Pro-se defendants who remain unrepresented at the Initial Appearance shall appear for their Docket Appearance and remain

in Court throughout the next court term until excused by the Court or the Solicitor's Office. These defendants must appear for each term of Darlington County General Sessions Court as required by their bond until their case is disposed.

4. In all cases where the defendant is represented by the Public Defender, the Public Defender shall assess the case for possible conflicts of interest and, if necessary, shall file an Affidavit of Conflict with the Clerk of Court prior to the Initial Appearance. The Clerk shall, upon receiving an Order Relieving Counsel, appoint the next attorney from the conflict list and advise the defendant and the Solicitor's office as to the identity of his or her attorney. The newly appointed counsel shall also be notified by the Clerk of Court's office.
- F. Issues of competency shall be addressed at the Initial Appearance. When appropriate, defense counsel shall move for a competency evaluation. The State and defense will schedule a hearing for the next term of General Sessions to determine if a competency evaluation is necessary.
- G. In all cases where it is feasible to do so at the Initial Appearance, the defendant and the State shall enter into negotiations concerning pleas and scheduling. All offers tendered at the Initial Appearance shall be accepted or rejected by the defendant's Docket Appearance date. Defendant and attorneys shall receive a Notice of Mandatory Court Appearances form at the Docket Appearance. (see attached Form-5)
- H. In order to be prepared to respond to the State's plea offer in a timely manner, all Public Defenders and conflict Court-appointed counsel shall meet in person with their clients prior to the Docket Appearance for the purpose of discussing the State's plea offer and all other matters relating to the defendant's case. It is suggested that the Public Defender use the Initial Appearance to schedule appointments for this purpose.
- I. The Public Defenders, court-appointed counsel, and retained counsel shall meet with their incarcerated defendant(s) at the Darlington County Detention Center prior to each General Sessions term of Court.
- J. At the Initial Appearance, the case shall be assigned to one of three dispositional tracks. These tracks will be 180, 270 and 365 days. (see attached Form 5) Assignment of cases to a track is the responsibility of the Solicitor's office, and is done at the sole

discretion of the Solicitor's office. It is the objective of all parties to have every case concluded on or before its disposition date. Should the disposition date fall on a non-court week, it shall be extended until the end of the next term of court. Homicide, criminal sexual conduct w/minors, and criminal sexual conduct cases and such other cases deemed by the Solicitor to be especially time consuming are an exception to this system and will not be assigned a disposition date.

- K. The length of the track in which a case is placed determines the deadline by which a case must be disposed. The date is calculated from the Initial Appearance date.

V. INDICTMENTS

- A. All General Sessions cases to be presented for indictment shall be presented to the Darlington County Grand Jury within ninety (90) days in accordance with Rule 3 of the South Carolina Rules of Criminal Procedure. This Court recognizes that due to their nature or type, certain cases may not be prepared to go to the Grand Jury within ninety days and grants an extension in those instances.
- B. In accordance with South Carolina law, no preliminary hearings will be held on indicted cases by the Magistrate's Court or Municipal Court.

VI. DOCKET APPEARANCE

- A. The Docket Appearance shall be held in the Courtroom of the Darlington County Courthouse on Wednesday at 2:00 o'clock p.m. as set forth in the schedule prepared and supplied by the Solicitor's Office. However, should the 5th floor courtroom be unavailable, then roll call shall be held in the Grand Jury Room on the 5th floor. Roll call will be conducted as necessary to ensure attendance. At the request of the Solicitor, the Clerk shall issue bench warrants for those defendants who fail to appear and who have not been excused by the Chief Administrative Judge of General Sessions Court.
- B. There shall be no continuance of the Docket Appearance. All defendants and defense attorneys shall appear for the Docket Appearance unless excused by the Chief Administrative Judge of General Sessions Court.

- C. All parties shall, during this appearance, engage in final plea negotiations. In those cases where a plea agreement is reached, the parties shall prepare the necessary paperwork, obtain the necessary signatures, and schedule the plea.
- D. Plea offers shall expire at the end of the business day on the Docket Appearance date and shall not be extended unless the defendant can demonstrate a material change in circumstances or some other exceptional situation.
- E. The presiding General Sessions Court Judge shall hold Docket Appearance status conferences on cases that remain unresolved at 9:00 o'clock a.m. on the Monday of the next General Sessions Court week following the Docket Appearance to assist the parties in resolving their cases.
- F. Defendants who remain unrepresented on their Docket Appearance date shall be present in Court throughout the following term. These defendants shall appear for each successive term of Court as required by their bond until their case is disposed.
- G. Attorneys for defendants must appear at the Docket Appearance.

V. GENERAL SESSIONS COURT PRACTICE

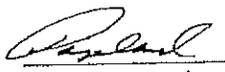
- A. A trial roster and roll call roster shall be prepared for each term of General Sessions Court. For consecutive terms, the rosters may cover two terms of court. The rosters shall be prepared and published at least ten (10) business days prior to the term of Court and shall be posted in the Courthouse, provided to the Chief Public Defender for Darlington County, to the Chief Administrative Judge for General Sessions Court and to the attorneys on the trial roster.
- B. The Solicitor's Office shall set the order of trials.
- C. The Petit Jury shall not be summoned to report for jury service for the General Sessions Court term before 2:00 p.m. on the first day of each term unless otherwise requested by the Solicitor's office.
- D. All Motions for Bonds and Bond Reductions shall be made in writing and filed in the Clerk of Court's office and served on the Solicitor's office no later than one (1) week prior to the beginning of the General Sessions court term. Any Motions filed and served during a term of General Sessions court shall be heard the following term unless there is no victim involved.

- D. All motions for continuance and requests for orders of protection shall be submitted to the presiding Judge and Solicitor's Office no later than seven (7) days prior to the commencement of the Court term. The Court will endeavor to hear and rule on the motions for continuance and requests for orders of protection before the commencement of the term of Court.
- E. Nothing in this order shall be construed by this Court or any other Court as a reason for a case to be judicially dismissed. This Order is intended to be strictly administrative in nature.

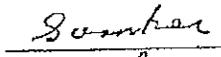
Failure to comply with any requirements of this Order may result in a Rule to Show Cause. This Order may be reviewed within 6 months.

IT IS SO ORDERED!


Honorable Paul M. Burch
Chief Administrative Judge for the
Fourth Judicial Circuit Court of
General Sessions


South Carolina
April 12, 2007


Honorable Howard P. King, Incoming
Chief Administrative
Judge


SC
April 18, 2007

ATTACHMENTS:

- Form 1 - Mandatory Court Appearance
- Form 2 - Additional Discovery
- Form 3 - Discovery Cover Sheet
- Form 4 - Return Warrant
- Form 5 - Notice of Mandatory Court Appearances
- Form 6 - Track Assignment

SECOND AMENDED ORDER

STATE OF SOUTH CAROLINA)	IN THE COURT OF GENERAL SESSIONS
)	FOURTH JUDICIAL CIRCUIT
COUNTY OF MARLBORO)	
)	
)	COOPERATIVE CASE MANAGEMENT
)	ADMINISTRATIVE ORDER

Pursuant to the authority vested in this Court by the Previous Administrative Order issued by the Honorable Chief Justice Jean Toal of the South Carolina Supreme Court, the following Cooperative Case Management Administrative Order is hereby adopted by this Court for the County of Marlboro General Sessions Court.

This Court hereby declares and orders that all General Sessions cases arising after November 12, 2007, will be processed through the Court under the principles of the system known as Cooperative Case Management. In accordance with the requirements of this system, the following rules are hereby adopted.

The Court hereby directs that in each General Sessions case arising before the various Magistrates and Municipal Courts of this County, the following shall be done:

I. ARREST WARRANTS & CDR CODES

A. Warrants shall be filled out completely and correctly. The section contained in the upper left hand corner that identifies the Defendant shall be completed at the time the warrant is obtained from the Magistrate or Municipal Judge. This information includes, but is not limited to, the Defendant's physical address, Social Security Number, date of birth, sex, race, height, and weight.

B. Each citizen's warrant shall be accompanied by a complete incident report from law enforcement. This incident report shall be presented to the Magistrate or Municipal Judge prior to the issuance of the warrant. Said incident report shall be attached to the warrant and transmitted to the Clerk of Court. The Clerk of Court shall transmit the warrant and incident report to the Solicitor's Office.

C. An initial incident report must be prepared on every case, attached to each warrant, and transmitted to the Clerk of Court. The Clerk shall transmit the warrant and incident report to the Solicitor's Office.

D. Each criminal charge has been assigned a CDR Code by Court Administration, and each Code has been provided to the Magistrates and Municipal Judges. Each warrant shall reflect the current CDR Code number from Court Administration on the face of the warrant in the space provided.

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represent the defendant by completing the appropriate box on the Notice of Date and Time of Mandatory Court Appearances form. The Court shall not accept the application fee from any defendant, but must advise the Defendant that, as a condition of his/her bond, he/she must pay the \$40.00 application fee to the Public Defender's Office within 15 days of his/her release on bond. Additionally, the Defendant shall be advised that if the fee is not paid by the Initial (first) Appearance date, the bond may be revoked by the presiding General Sessions Judge at the next term of court. If the Magistrate or Municipal Judge finds that the Defendant does not qualify for appointed counsel, the appropriate box on the Notice of Date and Time of Mandatory Court Appearances form shall be completed. In either case, the original copy of the form and the original Application for Counsel shall be forwarded to the Clerk of Court. At any insuing term of General Sessions Court, the Public Defender or Clerk of Court may advise the presiding judge of any Defendant released on bond for whom counsel has been appointed but who has not paid the application fee. The presiding judge may revoke the bond and require that the Defendant be held pending disposition of the charge(s).

The Clerk of Court shall notify the Public Defender of appointments by mailing a copy of the Notice of Mandatory Court Appearances.

- F. Magistrates and Municipal Judges shall transmit warrants, notices of Mandatory Court Appearances, and bonds to the Clerk of Court within 15 days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure.

III. DISCOVERY

- A. All law enforcement agencies shall provide copies of General Sessions case reports, together with all witness statements, video and audio tapes, photographs and diagrams, and any other material included in the law enforcement case file, to the Solicitor's Office within thirty (30) days of the arrest of the defendant. If the case file remains incomplete thirty days after the arrest, law enforcement shall provide the Solicitor's Office that portion of the report that is complete, together with a listing of those items for which law enforcement is waiting.
- B. The Solicitor's Office shall prepare defense discovery packets on all General Sessions cases within forty-five (45) days of arrest. The defense discovery packets shall be provided within forty-five (45) days of arrest to all attorneys who have filed a general letter of representation along with the appropriate discovery requests with the Solicitor's office.
- C. The Solicitor's Office shall prepare a written plea offer for all General Sessions cases within forty-five (45) days of arrest to all attorneys that have filed a general letter of representation with the Solicitor's Office.

IV. INITIAL APPEARANCE

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the state may consent to a competency evaluation of the subject defendant at the Initial Appearance. In the alternative, the State and defense may schedule a hearing to determine if a competency evaluation is necessary.

F. In all cases where it is feasible to do so, at Initial Appearance the defendant and the State shall enter into negotiations concerning pleas and scheduling. All offers tendered at the Initial Appearance must be accepted or rejected by the defendant's Docket Appearance date.

G. In order to be prepared to respond to the State's plea offer in a timely manner, all Public Defenders and conflict Court-appointed counsel shall meet in person with their clients prior to the Docket Appearance for the purpose of discussing the State's plea offer and all other matters relating to the defendant's case. It is suggested that the Public Defender use the Initial Appearance to schedule appointments for this purpose.

H. Prior to the Initial Appearance, the case will be assigned to disposition dates in one of three dispositional tracks. These tracks will be 180, 270, and 365 days. Assignment of cases to tracks is the responsibility of the Solicitor's Office and is done at the sole discretion of the Solicitor. It is the objective of all parties to have every case concluded on or before its disposition date. Should the disposition date fall on a non-court week, it will be extended until the end of the next term of court. Homicide, criminal sexual conduct cases, and such other cases deemed by the Solicitor to be especially time-consuming are an exception to this system and will not be assigned a disposition date. The disposition date is calculated from the Initial Appearance date.

V. INDICTMENTS

A. All General Sessions cases to be presented for indictment shall be presented to the Marlboro County Grand Jury within ninety (90) days in accordance with Rule 3 of the South Carolina Rules of Criminal Procedure. This Court recognizes that due to their nature or type, certain cases may not be prepared to go to the Grand Jury within ninety days and grants an extension in those instances.

B. In accordance with South Carolina law, no preliminary hearings will be held on indicted cases.

VI. DOCKET APPEARANCE

A. The Docket Appearance will be held in the Courtroom of the Marlboro County Courthouse as set forth in the schedule prepared and supplied by the Solicitor's Office. When the Courtroom is not available, the Solicitor may

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CLERK OF COURT
MARLBORO COUNTY, SC

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hold appearances at another appropriate venue. Roll call will be conducted as necessary to ensure attendance. The Clerk is authorized to issue bench warrants for those defendants who fail to appear and have not been excused by the Solicitor's Office or the Chief Administrative Judge of General Sessions Court.

- B. All parties shall, during this appearance, engage in final plea negotiations. In those cases where a plea agreement is reached, the parties shall prepare the necessary paperwork, obtain the necessary signatures, and schedule the plea.
- C. Plea offers shall expire at the end of the business day on the Docket Appearance date and will not be extended unless the defendant can demonstrate a material change in circumstances or some other exceptional situation.
- D. The presiding General Sessions Court Judge will hold Docket Appearance status conferences on cases that remain unresolved during the next General Sessions Court week following the Docket Appearance to assist the parties in resolving their cases, to allow the State to withdraw its plea offer, to address attorney issues, advise of the possibility of waiver of counsel, and advise of trial "in absentia". Status conferences may be used to assist the parties in reaching agreements.
- E. Defendants who remain unrepresented on their Docket Appearance date must be present in Court throughout the following term. These defendants must appear for each successive term of Court as required by their bond until their case is disposed.
- F. All defense attorneys and their client Defendants must appear at the Docket Appearance unless excused, **in writing**, by the Chief Administrative Judge of General Sessions Court.

VII. GENERAL SESSIONS COURT PRACTICE

- A. A trial roster and roll call roster shall be prepared for each term of General Sessions Court. For consecutive terms, the rosters may cover two terms of court. The rosters shall be prepared and published at least seven (7) business days prior to the term of Court by posting in the Courthouse, provided to the Chief Public Defender for Marlboro County, to other counsel of record, and to the Chief Administrative Judge for General Sessions Court.
- B. The Solicitor's Office shall set the order of trials.

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CLERK OF COURT
JENNIFER L. BROWN

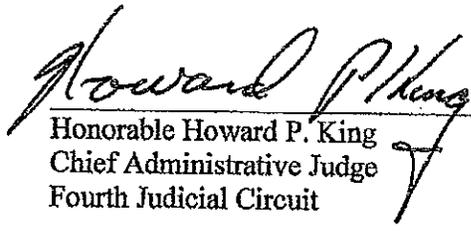
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C. All motions for continuance and requests for orders of protection shall be submitted to the presiding Judge and Solicitor's Office no later than seven (7) days prior to the commencement of the Court term. The Court will endeavor to hear and rule on the motions for continuance and requests for orders of protection before the commencement of the term of Court.

D. During a term of General Sessions Court, all assigned Solicitors and Public Defenders shall be present in the designated courtroom no later than 9:00 am for the morning session of court and 1:30 pm for the afternoon session of court, unless excused by the presiding Judge.

E. Nothing in this order shall be construed by this Court or any other Court as a reason for a case to be judicially dismissed. This order is intended to be strictly administrative in nature.

IT IS SO ORDERED.


Honorable Howard P. King
Chief Administrative Judge
Fourth Judicial Circuit

At Santee, SC
Oct 9, 2009.

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WILLIAM E. FORD
CLERK OF COURT
MARLBORO DISTRICT C.T.

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Court is authorized to issue a bench warrant for any defendant who fails to appear and has not been excused by the Solicitor's Office.

2. There will be no continuance of the Initial Appearance.
3. A preliminary hearing, if desired, must be requested in writing on or before the Initial Appearance date.
4. The following issues will be addressed at the Initial Appearance:
 - a) If a defendant qualifies for Court appointed counsel and has not retained private counsel by his/her initial appearance, the Public Defender will continue to represent the defendant.
 - b) If a defendant qualifies for a Public Defender but has retained private counsel prior to the initial appearance date, that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor's Office. The Public Defender will be relieved of representation at that time.
 - c) If a defendant did not qualify for a Public Defender, and private counsel has been retained, then a letter of representation must be filed with the Clerk of Court and served on the Solicitor's Office.
 - d) Unrepresented defendants may apply for a Public Defender at the Initial Appearance. The Clerk of Court will take applications and if approved, the Public Defender will be assigned that day.
 - e) Defendants who remain unrepresented at the Initial Appearance must appear on their Second Appearance Returnable date and remain in court throughout that term until excused by the Court. These defendants must appear for each successive term of court as required by their bond until their case is disposed.
 - f) Any mental health issues.
 - g) Any issues related to the analysis of drugs or other types of evidence.
 - h) Any other issue that may affect the timing of the disposition of the criminal case.
5. In all cases where the defendant is represented by the Public Defender, the Public Defender will assess the case at the Initial Appearance for possible conflicts of interest and resolved those conflicts readily identifiable on that date. The Clerk of Court will, upon Affidavit of Conflict, appoint the next attorney from the conflict list and advised the defendant of the identity of their attorney. The newly appointed counsel will also be notified on that date and a preliminary hearing will automatically scheduled for the defendant.
6. In all cases where it is feasible to do so, the defendant and the State will enter into negotiations concerning pleas at the Initial Appearance. All offers tendered at the Initial Appearance must be accepted or rejected by the Thursday prior to that defendant's Second Appearance. If no plea offer can be

made at the initial appearance, it will be tendered by the Thursday prior to the defendant's Second Appearance.

7. By the Initial Appearance, the Solicitor will provide discovery in all cases in which the appropriate motions have been filed with the Clerk of Court and served on the Solicitor's Office.
8. All law enforcement agencies are required to forward all existing case reports to the Solicitor's Office no later than fifteen days prior to the initial appearance date.
9. At the Initial Appearance the case will be assigned to one of three dispositional tracks. These tracks will be 120, 180 and 270 days long. Assignment of cases to a track will be the responsibility of the Solicitor's Office, and done at the sole discretion of the Solicitor's Office. Murder cases, Criminal Sexual Conduct cases, and Criminal Sexual Conduct with Minor cases will not fall within the guidelines of any track. The Chief Administrative Judge must approve any deviation from the track.
10. The length of the track in which a case is placed determines the deadline by which a case must be disposed. The date is calculated from the Initial Appearance date. If the date falls within a non-court week, it will be extended until the end of the next term of court.
11. If the plea negotiations are unsuccessful at the Second Appearance the case will be scheduled for trial before one of the presiding General Sessions judges. Except for good cause shown to the Chief Administrative Judge, the Chief Administrative Judge must hear any plea taken after the case is scheduled for trial.
12. Cases *may* be resolved at any time prior to the specified guidelines.

C. Preliminary Hearings

1. Preliminary hearings will be held at the appropriate Court issuing the charge against the defendant.
2. The Solicitor's Office will represent the State at all preliminary hearings.
3. Continuances of preliminary hearings may be granted *only* in extreme circumstances.
4. The defendant or his/her attorney must be present to be given a preliminary hearing. If a hearing has been requested in a case that involves an individual affiant, the failure of that affiant to appear and give testimony will result in the

dismissal of the warrant if the defendant and/or his lawyer appear and make the appropriate motion.

D. General Sessions Court Practice

1. The Solicitor's Office will, on the 1st and 15th of each month, provide the Chief Administrative Judge a list of all pending cases that are within 30 days of their track deadlines.
2. Presiding Judges will be available from 9:00-9:30 AM on Tuesday through Friday of each General Sessions Court terms to hold case status conferences with attorneys for the State and the defense. Either party may request conferences.
3. At least seven days before each term of court, the Solicitor will prepare and publish a docket of all cases that are subject to call during that court term. Making the docket available in the Solicitor's Office shall effect publication. The Solicitor's Office will also distribute the docket to those attorneys listed upon it by either Fax, US Mail or by hand delivery. It is the responsibility of all attorneys who have clients on this docket to notify their clients that their case is scheduled for disposition.

AND IT IS SO ORDERED.

Henry F. Floyd
Chief Administrative Judge, General Sessions
Fifth Judicial Circuit

This _____ day of _____, 2001.
Columbia, South Carolina.

I CONSENT:

W. Barney Giese, Solicitor
Fifth Judicial Circuit

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

IN THE COURT OF GENERAL SESSIONS

Temporary Amended 
CRIMINAL CASE MANAGEMENT SYSTEM ORDER

The within Criminal Case Management System Order is hereby approved and made the order of this court for the processing of criminal cases in the Court of General Sessions for Lancaster County and supersedes and replaces all previously issued orders.

1. SCHEDULING

The dates of the events required pursuant to the terms of this order shall be determined based upon the terms of General Sessions Court scheduled for Lancaster County for each six-month period by the South Carolina Court Administration. As soon as practicable after the publication of the court schedule, the General Sessions Court Coordinator (GSCC) within the office of the Lancaster County Clerk of Court, with approval of the Chief Judge for Administrative Purposes (CJAP) for the Sixth Judicial Circuit, shall prepare a schedule of the dates of these events and shall distribute the schedule to the magistrate and municipal courts, law enforcement agencies, the solicitor, the public defender, and the private bar.

2. TRANSMITTAL OF CHARGING PAPERS

A. Law Enforcement Agencies. Law enforcement agencies shall return the original arrest warrant or uniform traffic ticket to the magistrate or municipal court which issued the warrant or ticket the next business day after the service of the warrant or ticket or as soon thereafter as practicable.

B. Magistrate and Municipal Courts. Pursuant to Sections 14-25-45 and 22-5-350 of the Code of Laws of South Carolina and Rule 3(a) of the South Carolina Rules of Criminal



Procedure, the magistrate and municipal courts shall forward to the Lancaster County Clerk of Court the original warrant or ticket and all other documents pertaining to the case including, but not limited to, the bond, within 15 days from the date of arrest.

C. Clerk of Court. Pursuant to Rule 3(b) of the South Carolina Rules of Criminal Procedure, the clerk of court shall forward a copy of the warrant or ticket to the solicitor within two (2) business days from the date of receipt from the issuing official.

3. BOND HEARINGS

A. Bond hearings for bailable offenses shall be held by magistrate and municipal judges pursuant to Sections 14-25-45 and 22-5-510 et seq. of the Code of Laws of South Carolina utilizing Bail Proceeding Form I (SCCA 510A and 510B), Bail Proceeding Form II (SCCA 511A and 511B), and Checklist for Magistrates and Municipal Judges (SCCA 507). Bond hearings for nonbailable offenses shall be held before the Court of General Sessions. Motions to reconsider bond and motions to revoke or modify bond pursuant to Section 17-15-55 of the Code of Laws of South Carolina shall be in writing, filed with the clerk of court, and served upon the opposing party and shall be heard before the Court of General Sessions.

B. Notice of Right to Counsel.

The magistrate or municipal judge shall inform the defendant of his right to court appointed counsel if he is financially unable to retain counsel pursuant to Section 17-3-5 et seq. of the Code of Laws of South Carolina. The presiding magistrate or municipal judge shall, at each defendant's bond hearing, screen that defendant to determine if he qualifies for court appointed counsel.

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C. Notice of Right to Preliminary Hearing.

The magistrate or municipal judge shall notify the defendant orally and in writing of his right to a preliminary hearing pursuant to Sections 14-25-45 and 17-23-160 of the Code of Laws of South Carolina and Rule 2 of the South Carolina Rules of Criminal Procedure. The defendant or his attorney shall request a preliminary hearing by delivering the completed Notice of Right to Preliminary Hearing (SCCA 512) to the GSCC at the defendant's First Appearance. The GSCC shall provide the solicitor a list of those cases for which defendants have requested preliminary hearings. The solicitor shall provide the list to the Lancaster County Magistrate Court and the Lancaster Municipal Court.

D. Notice of First and Second Appearances.

The magistrate or municipal judge shall notify the defendant orally and in writing of the dates, times, and places of the defendant's mandatory First and Second Appearances in the Court of General Sessions. The written notice shall be on a form provided by the solicitor preprinted with the dates, times, and places of the First and Second Appearances. The magistrate or municipal judge shall complete the form, make one copy, deliver the copy to the defendant, and deliver the original to the GSCC. Magistrate and municipal judges shall transmit these forms to the GSCC each Friday.

The magistrate or municipal judge shall make the defendant's appearance at the First and Second Appearances a condition of the defendant's bond and shall notify the defendant orally and in writing of this condition of his bond and that if the defendant fails to appear for either the First or Second Appearance, a bench warrant for his arrest may be issued.

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4. NOTICE OF REPRESENTATION

If the defendant is determined financially unable to retain counsel and is appointed a public defender, the public defender's office shall file with the clerk of court and serve upon the solicitor a notice of representation. The notice of representation shall specify the name of the assigned public defender or the member of the private bar appointed to represent the defendant in conflict cases and the warrant or ticket number(s).

If the defendant retains private counsel, the retained attorney shall file with the clerk of court and serve upon the solicitor a notice of representation specifying the warrant or ticket number(s).

If an attorney desires to be relieved from his representation of a defendant at the request of the attorney or of the defendant, he shall either obtain an order consented to by the defendant and the solicitor and signed by the court or obtain an order after a hearing with proper notice to the defendant and the solicitor and signed by the court. The hearing shall be scheduled by the GSCC. If the order does not specify the name of an attorney substituted to represent the defendant, the order shall include a date, time, and place for the defendant to appear before the CJAP or a presiding judge for a hearing to resolve the issue of the defendant's representation.

5. DISCOVERY

A. Law Enforcement Agencies.

Law enforcement agencies shall provide the solicitor a copy of the file for each case within 15 days of the date of the defendant's arrest but in no case later than 15 days before the defendant's First Appearance. If the file is incomplete, the agency shall provide the solicitor as much of the file as is complete within this time and shall immediately provide the solicitor

additional materials as they are added to the file, identifying the case by the defendant's name and the agency case number (CRN).

If the solicitor has not received a file from the agency by the date of the defendant's First Appearance, the CJAP or the presiding judge may dismiss the case without prejudice. If the case is dismissed, the GSCC shall notify the defendant (if he is unrepresented) or his attorney and the bondsman that the defendant is not required to appear for his scheduled Second Appearance. Another warrant may not be sought by the law enforcement agency without a finding by the CJAP or the presiding judge of good cause why the agency did not provide the solicitor a copy of the file as required herein.

B. Solicitor's Office.

The solicitor shall provide a copy of the file to the attorney for each defendant who has filed and served upon the solicitor notice of representation and discovery motions pursuant to Rule 5 of the South Carolina Rules of Criminal Procedure and/or **Brady v. Maryland** and to each pro se defendant who has filed and served these motions upon the solicitor. The solicitor shall provide this information to the defendant or his attorney no later than the date of the defendant's First Appearance.

6. PLEA OFFERS

The solicitor shall provide the attorney for each represented defendant and each pro se defendant a written plea offer no later than the date of the defendant's First Appearance. The plea offer shall include the defendant's current charge and all other Lancaster County General Sessions Court charges pending against the defendant.

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If the solicitor declines to extend to the defendant a plea offer or is unable to do so by the date of the defendant's First Appearance, he shall so inform the defendant or his attorney in writing no later than the date of the defendant's First Appearance.

The written plea offer shall remain in effect until the conclusion of the defendant's Second Appearance. The solicitor and the defendant shall attempt to reach an agreement concerning disposition of the defendant's charge or charges by negotiation from the date of the tender of the offer through the conclusion of the defendant's Second Appearance. If no such agreement is reached, the plea offer shall be withdrawn at the conclusion of the defendant's Second Appearance. If an agreement is reached, the charge or charges shall be scheduled for disposition by guilty plea as scheduled by the GSCC.

7. FIRST AND SECOND APPEARANCES

First and Second Appearances may be presided over by the CJAP or a circuit court judge designated by the CJAP. The CJAP or the GSCC shall sound the roll of defendants. The Solicitor is authorized to conduct these appearances as well.

First and Second Appearances shall be mandatory and shall not be continued. All defendants and their attorneys shall appear at each defendant's First Appearance unless all issues to be resolved at the First Appearance have been resolved and the defendant's attorney has filed with the clerk of court and served upon the solicitor a First Appearance Report indicating that these issues have been resolved. All defendants and their attorneys shall appear at each defendant's Second Appearance. If the defendant fails to appear as required at his First or Second Appearance, the GSCC, at the direction of the CJAP or the presiding judge, or upon notice given by the solicitor, shall issue a bench warrant for the defendant's arrest for failure to appear in violation of the terms of the defendant's bond.

A. First Appearance.

The following issues shall be resolved at the defendant's First Appearance:

i. Representation. The public defender's office and retained attorneys shall file with the clerk of court and serve upon the solicitor notice of representation no later than the defendant's First Appearance. Defendants unrepresented at the First Appearance who desire appointed counsel shall be referred by the GSCC to the office of the clerk of court for indigency screening. Any defendant who remains unrepresented at the conclusion of his First Appearance shall be required to appear at the next term of General Sessions Court and to remain throughout that term and subsequent terms until the issue of his representation is resolved by the CJAP or the presiding judge. All conflicts or claimed conflicts of interest concerning legal representation shall be resolved at the First Appearance.

ii. Discovery and Plea Offers. The solicitor shall provide a copy of the file to the attorney for each represented defendant and to each pro se defendant who have filed and served the proper discovery motions. The solicitor shall provide a written plea offer to the attorney for each represented defendant and to each pro se defendant unless the solicitor declines to do so or is unable to do so and so notifies the defendant or his attorney in writing. If a plea agreement is reached, a date and time for the guilty plea hearing shall be scheduled by the GSCC.

iii. Preliminary Hearings. A defendant who desires a preliminary hearing shall deliver to the GSCC his completed Notice of Right to Preliminary Hearing at the defendant's First Appearance.



Attorneys for represented defendants and all pro se defendants are required to appear at preliminary hearings. If the attorney for a represented defendant or a pro se defendant fails to appear at the preliminary hearing after proper notice, the defendant shall be deemed to have waived his right to the preliminary hearing. A preliminary hearing shall not be held in any case in which the defendant is indicted by the grand jury before the preliminary hearing is held.

iv. Mental Health Issues. Issues known to the defense or the state concerning the defendant's competency to stand trial, criminal responsibility, or any other aspect of the defendant's mental health shall be discussed and resolved by consent if possible. Any such issues which cannot be resolved by consent shall be scheduled for a hearing by the GSCC.

v. Other Issues. Any other issues known to the defense or the state which likely will impact the scheduling or disposition of the case shall be discussed and resolved by consent if possible. Any such issues which cannot be resolved by consent shall be scheduled for a hearing by the GSCC.

vi. PreTrial Intervention. The solicitor shall have personnel available at all First Appearances to explain the PreTrial Intervention Program and to take applications for the program or to schedule appointments to take the applications.

B. Second Appearance.

Plea negotiations shall be concluded. If a plea agreement is reached, a date for the guilty plea hearing shall be scheduled by the GSCC. If no plea agreement is reached, the plea offer shall be deemed withdrawn, and the case shall be scheduled for trial by the GSCC.

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Any issues known to the defense or the state which likely will impact the scheduling or disposition of the case shall be discussed and resolved by consent if possible or scheduled for a hearing by the GSCC.

8. INDICTMENT

The solicitor shall within 90 days after receipt of a warrant or ticket from the clerk of court take action on the same by preparing an indictment for presentment to the grand jury, assigning a criminal case number to the indictment, and presenting it to the grand jury unless some other action is taken on the warrant or ticket pursuant to Section 17-19-10 of the Code of Laws of South Carolina and Rule 3(c) of the South Carolina Rules of Criminal Procedure..

9. GENERAL SESSIONS COURT PRACTICE

A. Plea Docket

The GSCC, in conjunction with the Solicitor's office, shall maintain a plea docket from information obtained at First and Second Appearances. The GSCC or solicitor shall notify the defendant or his attorney of the date, time, and place of the guilty plea hearing. The parties shall complete sentencing sheets, restitution orders, and all other necessary documents prior to the scheduled guilty plea hearing. If a defendant does not appear for his guilty plea hearing, the GSCC or solicitor shall, at the direction of the CJAP or the presiding judge, issue a bench warrant for his arrest.

B. Trial Docket

Before the first term of General Sessions Court for each month, the Solicitor shall prepare a trial docket of all cases that are subject to call during that month. The Solicitor, in conjunction with the GSCC, shall distribute the trial docket to all attorneys representing

defendants on the trial docket at least 30 days before the first term of General Sessions Court for that month by notifying all defense attorneys and pro se defendants on the trial docket by hand delivery, fax, mail, or electronic delivery.

All attorneys representing defendants on the trial docket shall provide the GSCC their telephone numbers, fax numbers, and email addresses to facilitate communication between the parties. Attorneys shall notify their clients of the date, time, and place of trial.

All defendants and their attorneys shall appear for the sounding of the trial docket. All pro se defendants shall remain in the courtroom while court is in session throughout the term. The GSCC shall, at the direction of the CJAP or the presiding judge, issue a bench warrant for the arrest of any defendant who fails to appear. The presiding judge will sound the trial docket to determine whether any of the defendants on it intend to plead guilty. Guilty plea hearings for these defendants shall be held during that term of court as scheduled by the presiding judge. The CJAP has the discretion to determine the number of cases on the trial docket.

C. Bond Hearings

Defense attorneys and the solicitor shall file and serve the proper motions concerning bond matters no later than 5:00 p. m. the Monday of each term of General Sessions Court (or Tuesday at 9:00 a. m. if Monday is a holiday). These bond hearings shall be held beginning at 9:00 a. m. the Friday of that term of General Sessions Court.

D. Status Conferences

The presiding judge will be available during each term of General Sessions Court from 9:00 a. m. to 9:30 a. m. Tuesday through Friday to hold status conferences on any case if requested by either party.

E. Day Certain Scheduling

The CJAP has the authority to schedule trials, pleas, motions, and other hearings for certain dates and times sua sponte or upon the request of solicitors or defense attorneys.

10. GENERAL PROVISIONS

The terms of this Criminal Case Management System Order are administrative in nature and are intended to facilitate the orderly disposition of cases in General Sessions Court. Nothing herein shall be construed to alter the rights of any defendant or the State of South Carolina pursuant to the Constitutions of the United States of America and of the State of South Carolina, the Code of Laws of South Carolina, or the common law.

IT IS SO ORDERED!

7/7, 2015
Lancaster, South Carolina



Brian M. Gibbons
Chief Judge for Administrative Purposes
Court of General Sessions
Sixth Judicial Circuit

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

IN THE COURT OF GENERAL SESSIONS

AMENDED ADMINISTRATIVE ORDER

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2008 SEP 26 AM 10:09
MARC BRICHENS

Pursuant to the authority vested in the Court by the attached Administrative Order (Attachment "A") signed by the Honorable Chief Justice Jean Toal of the South Carolina Supreme Court, the following Administrative Order is adopted by this Court for Spartanburg County.

The Administrative Order of Judge J. Mark Hayes dated October 29, 2004, which has managed General Sessions' charges moving through the system since January 1, 2005, is modified to address additional changes to the system. After September 15, 2008, the Solicitor will no longer determine the General Sessions Docket. This authority is voluntarily transferred by the Solicitor to the Chief Administrative Judge for General Sessions for an indefinite period of time as a pilot program in the Seventh Judicial Circuit.

This Court orders that all General Sessions cases in which an arrest is made after December 31, 2004, will be processed through the Court under the principles set forth in this order. In accordance with the requirements of this system the following rules are adopted.

The Court directs that in each General Sessions case arising before the various Magistrates and Municipal Courts of the county, the following procedure is to be followed:

A. Bond Hearing

1. Magistrates and Municipal Judges are required to transmit warrants to the Spartanburg County Clerk of Court within fifteen (15) days as required by Rule 3 (a) of the South Carolina Rules of Criminal Procedure.
2. All defendants will be screened by the Magistrate at their bond hearing to determine if they qualify for appointment of counsel. The screening will be conducted by the on-duty magistrate for all defendants, including those charged by other jurisdictions.
3. The defendant will be served with a Notice of Initial Appearance at his/her bond hearing. The date of the Initial Appearance will be assigned in accordance with the schedule prepared and distributed by the Chief Administrative Judge. The defendant's attendance at the initial appearance will be made a condition of that defendant's bond by noting this under Section III of a Personal Recognizance

Bond Form or Section D of a Surety Bond Form. At the time that the initial appearance is set, the Judge setting the defendant's bond will inform the defendant, orally and in writing, of his/her right to a Preliminary Hearing. Dates for any Preliminary Hearings will be scheduled at the defendant's initial appearance.

B. Initial Appearance

1. The initial appearance will be held at the Spartanburg County Judicial Center. Roll call will be conducted as necessary to ensure attendance. The Clerk of Court is authorized to issue a bench warrant for any defendant who fails to appear and has not been excused by the Administrative Judge.
2. There will be no continuances of the Initial Appearance.
3. A preliminary hearing, if desired, must be requested in writing on or before the Initial Appearance date.
4. The following issues will be addressed at the Initial Appearance:
 - a) If a defendant qualifies for Court appointed counsel and has not retained private counsel by his/her initial appearance, the Public Defender will continue to represent the defendant.
 - b) If a defendant qualifies for a Public Defender but has retained private counsel prior to the initial appearance date, that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor's Office. The Public Defender will be relieved of representation at that time.
 - c) If a defendant did not qualify for a Public Defender, and private counsel has been retained, then a letter of representation must be filed with the Clerk of Court and served on the Solicitor's Office.
 - d) Unrepresented defendants may apply for a Public Defender at the Initial Appearance. The Public Defender's office will take applications and if approved, the Public Defender will be assigned that day.
 - e) Defendants who remain unrepresented at the Initial Appearance must appear on their Second Appearance. Returnable date and remain in court throughout that term until excused by the Court. These defendants must appear

for each successive term of court as required by their bond until their case is disposed.

- f) Any mental health issues.
 - g) Any issues related to the analysis of drugs or other types of evidence.
 - h) Any other issue that may affect the timing of the disposition of the criminal case including issues related to conflicts of representation.
5. In all cases where the defendant is represented by the Public Defender, the Public Defender will assess the case at the Initial Appearance for possible conflicts of interest and resolve those conflicts readily identifiable on that date. The Clerk of Court will, upon Affidavit of Conflict, appoint the next attorney from the conflict list and advise the defendant of the identity of his/her attorney. The newly appointed counsel will also be notified on that date and a preliminary hearing will automatically be scheduled for the defendant.
6. It is the intent of this Administrative Order that the Solicitor and defendants' attorneys exchange discovery as early in this process as possible. Accordingly, when feasible, defendants' attorneys and the State will enter into negotiations concerning pleas at the Initial Appearance. Any plea offer(s) must be communicated to defendant at least fourteen (14) days prior to defendant's Second Appearance and accepted or rejected prior to defendant's Second Appearance. Likewise, the decision not to negotiate or extend a plea offer shall be communicated to defendant by the Solicitor at least fourteen (14) days prior to defendant's Second Appearance.
7. By the Initial Appearance, the Solicitor will provide discovery to defendant(s) or defendant(s) attorney of record in all cases in which the appropriate motions have been filed with the Clerk of Court and served on the Solicitor's Office.
8. All law enforcement agencies are required to forward all existing case reports, investigative reports, and incident reports, as well as other discovery, to the Solicitor's Office within thirty (30) days of a warrant being issued, but not later than fifteen (15) days prior to defendant's Initial Appearance, if the Initial Appearance is less than thirty (30) days from the date the warrant is issued.

If the law enforcement agency fails to provide discovery within this

deadline, the warrant(s) may be dismissed without prejudice by the Chief Administrative Judge for General Sessions or his designated judicial representative.

Notification will be provided to the defendant, or defendant's attorney of record, and defendant's bondsman that defendant is not required to appear at the Initial Appearance when the warrants are dismissed. Prior to the issuance of another warrant after dismissal without prejudice of the original warrant for failure to timely comply with discovery transmittal, the requesting law enforcement agency must establish good cause for its initial failure to timely transmit discovery to the Chief Administrative Judge for General Sessions or to another judicial representative to whom that authority has been delegated. Failure to present good cause will result in the refusal to issue the second warrant.

9. At the Initial Appearance the case will be assigned to a 180 day track. Murder cases, Criminal Sexual Conduct cases, and Criminal Sexual Conduct with Minor cases will not fall within the guidelines of this order except that they should be resolved within one year absent court approved deviation. In addition, the Chief Administrative Judge must approve any deviation from the 180 day track for other cases.
10. At the 2nd Appearance the court will inquire whether a matter is for plea or for trial. If the matter is a plea, the court will assign a date and time for the plea hearing to be held. All sentencing sheets and other paperwork must be completed by the parties prior to the day the matter is set for a plea hearing.
11. If the plea negotiations are unsuccessful at the Second Appearance the case will be scheduled for trial before one of the presiding General Sessions judges. Except for good cause shown to the Chief Administrative Judge, the Chief Administrative Judge must hear any plea taken after the case is scheduled for trial or such information will be provided to the court as may be required by the Chief Administrative Judge for General Sessions prior to the taking of the plea.
12. Cases may be resolved at any time prior to the specified guidelines.

C. Preliminary Hearing

1. Preliminary hearings will be held at the appropriate Court issuing the charge against the defendant.

2. The Solicitor's Office will represent the State at all preliminary hearings.
3. Continuances of preliminary hearings may be granted only in extreme circumstances.
4. The defendant or his/her attorney must be present to be given a preliminary hearing. If a hearing has been requested in a case that involves an individual affiant, the failure of that affiant to appear and give testimony will result in the dismissal of the warrant if the defendant and/or his lawyer appear and make the appropriate motion.

D. General Sessions Court Practice

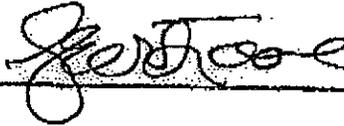
1. Presiding Judges will be available from 9:00-9:30AM on Tuesday through Friday of each General Sessions Court terms to hold case status conferences with attorneys for the State and the defense. Either party may request conferences.
2. At least fourteen (14) days before each term of court, the Chief Administrative Judge of General Sessions will prepare and publish a docket of all cases that are subject to call during that court term. Making the docket available in the Clerk of Court's Office or placement on the Clerk's internet site shall effect publication. The General Sessions Court Coordinator will also distribute the docket to those attorneys listed upon it by either Fax, US Mail, hand delivery, or electronic delivery. It is the responsibility of all attorneys who have clients on this docket to notify their clients that their case is scheduled for disposition. The Chief Administrative Judge will allow the Solicitor's Office ten percent (10%) of the trial docket slots for priority cases, defined as: those cases having a high profile; where the community is at risk regarding a particular defendant; or, interstate detainer act cases, etc.
3. To facilitate orderly handling of the existing pending cases prior to the implementation of this Administrative Order, there is created within the Clerk of Court's Office, the position of General Sessions Court Coordinator.

4. The Chief Administrative Judge for General Sessions will have the right to require status conferences on all cases that have passed the deadline for disposal on such forms as may be required by the Court.

AND IT IS SO ORDERED.

Dated:

Chief Justice South Carolina Supreme Court



We So Move and Consent:



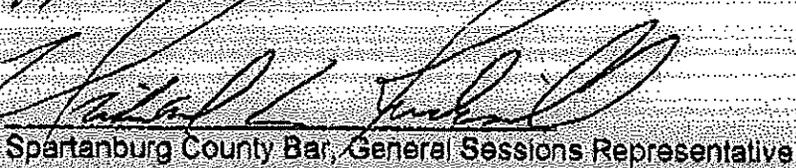
7th Circuit Solicitor



7th Circuit Public Defender



Spartanburg County Clerk of Court



Spartanburg County Bar, General Sessions Representative

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2008 SEP 26 AM 10:09
MARC KITCHENS

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
COUNTY OF SPARTANBURG)

REVISED AMENDED ADMINISTRATIVE ORDER AS OF AUGUST 23, 2013

Pursuant to the authority vested in the Court by the attached Administrative Order (Attachment 'A") signed by the Honorable Chief Justice Jean Toal of the South Carolina Supreme Court, the following Administrative Order is adopted by this Court for Spartanburg County.

The Administrative Order of Judge J. Mark Hayes dated October 29, 2004, which has managed General Sessions' charges moving through the system since January 1, 2005, is modified to address additional changes to the system. After September 15, 2008, the Solicitor will no longer determine the General Sessions Docket. This authority is voluntarily transferred by the Solicitor to the Chief Administrative Judge for General Sessions for an indefinite period of time as a pilot program in the Seventh Judicial Circuit.

This Court orders that all General Sessions cases in which an arrest is made after December 31, 2004, will be processed through the Court under the principles set forth in this order. In accordance with the requirements of this system the following rules are adopted.

The Court directs that in each General Sessions case arising before the various Magistrates and Municipal Courts of the county, the following procedure is to be followed:

A. Bond Hearing

1. Magistrates and Municipal Judges are required to transmit warrants to the Spartanburg County Clerk of Court within fifteen (15) days as required by Rule-3(a) of the South Carolina Rules of Criminal Procedure.

2. All defendants will be, screened by the Magistrate at their bond hearing to determine if they qualify for appointment of counsel. The screening will be conducted by the on-duty magistrate for all defendants, including those charged by other jurisdictions.

3. The defendant will be served with a Notice of Initial Appearance at his/her bond hearing. The date of the Initial Appearance will be assigned in accordance with the schedule prepared and distributed by the Chief Administrative Judge. The defendant's attendance at the initial appearance will be made a condition of that defendant's bond by noting this under Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form. At the time that the initial appearance is set, the Judge setting the defendant's bond will inform the defendant, orally and in writing, of his/her right to a Preliminary Hearing. Dates for any Preliminary Hearings will be scheduled at the defendant's initial appearance.

B. Initial Appearance

1. The initial appearance will be held at the Spartanburg County Judicial Center **approximately sixty (60) days after the Bond Hearing.** Roll call will be conducted as necessary to ensure attendance. The Clerk of Court is authorized to issue a bench warrant for any defendant who fails to appear and has not been excused by the Administrative Judge.

2. There will be no continuances of the Initial Appearance.

3. A preliminary hearing, if desired, must be requested in writing on or before the Initial Appearance date.

4. The following issues will be addressed at the Initial Appearance:

a) If a defendant qualifies for Court appointed counsel and has not retained private counsel by his/her initial appearance, the Public Defender will continue to represent the defendant.

b) If a defendant qualifies for a Public Defender but has retained private counsel prior to the initial appearance date, that attorney must -file a general notice of representation with the Clerk of Court and serve a **filed** copy on the Solicitor's Office. The Public Defender will be relieved of representation at that time.

c) .If a defendant did not qualify for a Public Defender and private counsel has been retained, then a letter of representation must be filed with the Clerk of Court and **filed copy of the letter** served on the Solicitor's Office.

d) Unrepresented defendants may apply for a Public Defender at the Initial Appearance. The Public Defender's office will take applications and if approved, the Public Defender will be assigned that day.

e) Defendants who remain unrepresented at the Initial Appearance must appear on their Second Appearance. Returnable date and remain in court throughout that term until excused by the Court. These defendants must appear for each successive term of court as required by their bond until their case is disposed.

f) Any mental health issues.

g) Any issues related to the analysis of drugs or other types of evidence.

h) Any other issue that may affect the timing of the disposition of the criminal case including issues related to conflicts of representation.

The Defendant's attorney prior to first appearance may submit a First Appearance Report prior to the first appearance date. The First Appearance Report form must be

completed filled out with the information requested by the Court at First Appearance. (Please see attachment #1- First Appearance Report Form). The Defendant's attorney must file a copy with the Clerk of Court office and a filed copy to the Solicitor's Office of the first appearance date or the attorney will need to appear at the first appearance hearing. If the defendant obtains an attorney and the attorney either files a First Appearance Report Form or appears in person for the defendant, the defendant does not have to appear for first appearance.

5. In cases where the defendant is represented by the Public Defender, the Public Defender will assess the case at the Initial Appearance for possible conflicts of interest and resolve those conflicts readily identifiable on that date. The Clerk of Court will, upon Affidavit of Conflict, appoint the next attorney from the conflict list and advise the defendant of the identity of his/her attorney. The newly appointed counsel will also be notified on that date. ~~and a preliminary hearing will automatically scheduled for the defendant.~~

6. It is the intent of this Administrative Order that the Solicitor and defendants' attorneys exchange discovery as early in this process as possible. Accordingly, when feasible, defendants' attorneys and the State will enter into negotiations concerning pleas at the Initial Appearance. Any plea offer(s) must be communicated to defendant at least fourteen (14) days prior to defendant's Second Appearance and accepted or rejected prior to defendant's Second Appearance. ~~Likewise, the decision not to negotiate or extend a plea offer shall be communicated to defendant by the Solicitor at least fourteen (14) days prior to defendant's Second Appearance.~~

7. By the Initial First Appearance, the Solicitor will provide discovery to defendant(s) or defendant(s) attorney of record in all cases in which the appropriate motions have been filed with the Clerk of Court and served on the Solicitor's Office. **The Court realizes that items being tested by SLED and other outside agencies may not be done at this time and will ask these items to be provided to the defendant(s) or defendant(s) attorney of record within a reasonable amount of time. The Court also realizes that on some cases that the defendant hires an attorney just before first appearance that the Solicitor cannot comply with discovery, the State will provide discovery to defendant by the Second appearance in these cases once all the appropriate motions has been filed with the Clerk of Court and severed on the Solicitor's Office.**

8. All law enforcement agencies are required to forward all existing case reports; investigative reports; and, incident reports, as well as other discovery, to the Solicitor's Office within thirty (30) days of a warrant being issued. ~~but not later than fifteen (15) days prior to defendant's Initial Appearance, if the Initial Appearance is less than thirty (30) days from the date the warrant is issued.~~ If the law enforcement agency fails to provide discovery within this deadline, the warrant(s) may be dismissed without prejudice by the Chief Administrative Judge for General Sessions or his designated judicial representative. Notification will be provided to the defendant, or defendant's attorney of record, and defendant's bondsman that defendant is not required to appear at the Initial Appearance when the warrants are dismissed. Prior to the issuance of another warrant after dismissal without prejudice of the original warrant for failure to timely comply with discovery transmittal, the requesting law enforcement agency must establish good cause for its initial failure to timely transmit discovery to the Chief Administrative Judge for General Sessions

or to another judicial representative to whom that authority has been delegated. Failure to present good cause will result in the refusal to issue the second warrant.

9. At the Initial Appearance the case will be assigned to a 180 day track. Murder cases, Criminal Sexual Conduct cases, and Criminal Sexual Conduct with Minor cases will not fall within the guidelines of this order except that they should be resolved within one year absent court approved deviation. In addition, the Chief Administrative Judge must approve any deviation from the 180 day track for other cases.

10. At the 2nd Appearance **held approximately one hundred and twenty (120) days after the Bond Hearing**, the court will inquire whether a matter is for plea or for trial. If the matter is a plea, the **Clerk of Court** will assign a date and time for the plea hearing to be held. All sentencing sheets and other paperwork must be completed by the parties prior to the day the matter is set for a plea hearing. **The Clerk of Court will develop a plea docket for the scheduled plea judge to handle during a week of General Sessions Court.**

11. If the plea negotiations are, unsuccessful at the Second Appearance the case will be scheduled for trial before one of the presiding General Sessions judges assigned by the Chief Administrative Judge. **The Court will have the option on the request of one or both parties to restatus the case for a restatus hearing at the after the next second appearance date for good cause. This restatus date cannot be extended unless one or both parties have very specific valid reasons to do so.** Except for good cause shown to the Chief Administrative Judge: the Chief Administrative Judge must hear any plea taken after the case is scheduled for trial or such information will be provided to the court as may be required by the Chief Administrative Judge for General Sessions prior to the taking of the plea.

12. Cases may be resolved at any time prior to the specified guidelines.

13. **The Chief Administrative Judge will determine which judge(s) will be the trial judge(s) and which judge(s) will be the plea judge(s) for a week term of General Sessions Court. The Chief Administrative Judge will determine the judge that will qualify the jury and determine the judge that will call the trial docket for a week term of General Sessions Court. The judge who calls the trial docket will determine where any pleas that develop off the trial docket will be schedule to be heard by himself or the plea judge with the General Sessions Coordinator of the Clerk of Court. The General Sessions Coordinator will make a list of the trial docket for the week as well as the pleas from the trial docket in a second plea list to be handled as instructed by the judge calling the trial docket. All pleas will be disposed of during the week of General Sessions Court.**

14. **All defendants must appear for the docket call at Spartanburg County Judicial Center on Monday mornings at 9:00 a.m. for the trial docket and all defendants on the plea docket must appear for the scheduled date and time on the plea docket. If a defendant does not appear for their scheduled time and date, a bench warrant will be issued for their arrest by the Clerk of Court. All pro se defendants on the trial docket must remain in court for the week until their cases is reached on the docket. If they**

leave the courtroom without the Court's permission, a bench warrant will issued for their arrest.

C. Preliminary Hearing

1. Preliminary hearings will be held at the appropriate Court issuing the charge against the defendant.
2. The Solicitor's Office will represent the State at all preliminary hearings.
3. Continuances of preliminary hearings may be granted only in extreme circumstances.
4. The defendant or his/her attorney must be present to be given a preliminary hearing. If a hearing has been requested in a case that involves a **self-signed** individual affiant, the failure of that affiant to appear and give testimony will result in the dismissal of the warrant if the defendant and/or his lawyer appear and make the appropriate motion.

D. General Sessions Court Practice

1. Presiding Judges will be available from 9:00-9:30AM on Tuesday through Friday of each General Sessions Court terms to hold case status conferences with attorneys for the State and the defense. Either party may request conferences.
2. At least **twenty-eight (28)** days before each term of court, **the Clerk of Court at the direction of the Chief Administrative Judge of General Sessions** will prepare and publish a docket of all cases that are subject to call during that court term. **The General Session Court Coordinator will produce a draft docket within 14 days of publishing on the official dockets for the General Sessions docket and provide it to all parties to review for any conflicts.** Making the docket available in the Clerk of Court's Office or placement on the Clerk's internet site shall effect publication. The General Sessions Court Coordinator **appointed by the Clerk of Court** will also distribute the docket to those attorneys listed upon it by either Fax, US Mail, hand delivery, or electronic delivery. It is the responsibility of all attorneys who have clients on this docket to notify their clients that their case is scheduled for disposition **and provide their e-mails and/or fax numbers to the Clerk of Court. The Clerk of Court at the direction of** the Chief Administrative Judge will allow the Solicitor's Office ten percent (10%) of the trial docket slots. **It is the responsibility of all bondsman who have clients on this docket to notify their clients that their case is scheduled for disposition.** ~~for priority cases, defined as: those cases having a high profile; where the community is at risk regarding a particular defendant; or, interstate detainer act cases, etc.~~
3. To facilitate orderly handling of the existing pending cases prior to the implementation of this Administrative Order, there is created within the Clerk of Court's Office, the position of General Sessions Court Coordinator.

4. The Chief Administrative Judge for General Sessions will have the right to require status conferences on all cases that have passed the deadline for disposal on such forms as may be required by the Court.

AND IT IS SO ORDERED.

Dated:

The Supreme Court of South Carolina

ORDER

The Honorable Brooks P. Goldsmith, Chief Judge for Administrative Purposes for the Eighth Judicial Circuit for the period of July 1, 2007 through January 5, 2008 submitted for approval the attached Administrative Orders establishing certain local rules for the processing of criminal cases in Abbeville, Greenwood, Laurens and Newberry Counties. Therefore,

Pursuant to the provisions of S.C. CONST. Art. V, §4, the Administrative Orders are hereby approved for use in Abbeville, Greenwood, Laurens and Newberry Counties.

IT IS SO ORDERED.



Jean Hofer Toal
Chief Justice

December 3, 2007
Columbia, South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF ABBEVILLE)

IN THE COURT OF GENERAL SESSIONS
FOR THE EIGHTH JUDICIAL CIRCUIT

COOPERATIVE CASE MANAGEMENT
ADMINISTRATIVE ORDER

Pursuant to the authority vested in this court pursuant to that Consent Order of Jean H. Toal, Chief Justice of the South Carolina Supreme Court, and consented to by the solicitors of the State of South Carolina, dated March 1, 2007, the following Cooperative Case Management Administrative Order is hereby adopted by this court for criminal cases in the Abbeville County General Sessions Court.

This court hereby declares and orders that all General Sessions cases arising after September 1, 2007, will be processed through the court under the principles of the system known as Cooperative Case Management. In accordance with the requirements of this system the following rules are hereby adopted.

The court hereby directs that in each General Sessions case arising before the various magistrates and municipal courts of this county, the following shall be done:

I. BOND HEARING

A. Bond hearings for bailable offenses shall be held by magistrates and municipal judges pursuant to §§ 14-25-45 and 22-5-510 et seq. of the code of Laws of South Carolina utilizing Bail Proceeding Form I (SCCA 510), Bail Proceeding Form II (SCCA 511), and Checklist for Magistrates and Municipal Judges (SCCA 507). The magistrate or municipal judge shall serve the defendant with a Notice of Mandatory Court Appearances (see attached) at the time of the bond hearing. The defendant's attendance at the Initial Appearance Date and Docket Appearance Date shall be made a condition of the defendant's bond by noting such in Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form. Additionally, the magistrate or municipal judge shall insure that the defendant is aware that if the defendant fails to appear for either of the court dates a bench warrant will be issued for his arrest. The dates of the initial appearance and the docket appearance shall be assigned in accordance with the schedule prepared and supplied by the Eighth Circuit Solicitor's Office. Bond hearings for non-bailable offenses shall be held before the Court of General Sessions as soon as practicable.

B. Preliminary Hearings: During the course of the bond hearing, the magistrate or municipal judge shall inform the defendant in writing and orally of his or her right to a Preliminary Hearing pursuant to §§14-25-45 and 17-23-160 of the South Carolina Code of Laws and Rule 2 of the South Carolina Rules of Criminal Procedure (SCRCrP) . Should a hearing be desired, it will be scheduled by the court prior to the Docket Appearance Date.

* C. Right to Counsel: The magistrate or municipal judge shall inform the defendant of his right to court appointed counsel if he is financially unable to retain counsel pursuant to § 17-3-10 et seq. of the South Carolina Code of Laws. At the conclusion of their bond hearing, all General Sessions defendants shall be screened by the magistrate or municipal court judge to determine if they qualify for appointment of counsel. Such screening shall be done in a manner prescribed by the Clerk of Court. Should the court determine the defendant qualifies for appointed counsel, the judge shall refer the defendant to the Abbeville County Public Defender's Office. The application fee for the screening for Public Defender shall be paid to the Clerk of Court prior to or at the initial appearance. If the Public Defender

Application fee remains unpaid at the conclusion of the case, the trial judge may order payment of the fee as a condition of probation. The magistrates and municipal court judges shall maintain a record of defendants who qualify for court appointed counsel and transmit the completed applications to the Clerk of Court along with the warrants and bond information. The Clerk of Court shall mail copies of the completed applications and warrants to the Public Defender. The Public Defender's Office shall notify the Solicitor's Office and the Clerk of Court in writing within two (2) working days of their representation of any defendant. In the event a defendant waives counsel at the bond hearing, applications for the public defender shall be made available at the jail and at the Clerk of Court's office.

- D. Transmittal of Warrants: Pursuant to §§ 14-25-45 and 22-5-350 of the South Carolina Code of Laws and Rule 3 SCRCrP magistrates and municipal court judges shall transmit warrants and all other material pertaining to the case to the Abbeville County Clerk of Court within fifteen (15) days from the date of arrest.

2. DISCOVERY

- A. All law enforcement agencies shall provide complete copies of General Sessions case files, together with all witness statements, video and audio tapes, photographs and diagrams, and any other material included in the law enforcement case file to the Solicitor's Office within twenty-one (21) days of the arrest of the defendant. If the case file remains incomplete thirty (30) days after the arrest, law enforcement shall provide the Solicitor's Office that portion of the report that is complete, together with a list of those items for which law enforcement is waiting. As those items, for which law enforcement is waiting, become available they shall immediately be transmitted to the Solicitor's Office.
- B. The Solicitor's Office shall prepare defense discovery packets on all General Sessions cases. Defense discovery packets shall be provided to defense counsel at the Initial Appearance Date to all defense counsel who have filed a general letter of representation along with the appropriate discovery requests with the Solicitor's Office.
- C. Due to the sensitive nature of audio and video tapes which depict the victim of the crime charged or informant aiding law enforcement in the investigating of the crime, the following restrictions shall be applicable to all such discoverable audio and video evidence:
1. A copy of any discoverable audio taped and/or video taped evidence (hereinafter "evidence") will not be provided to the defendant at the initial appearance; however, counsel for the defense may view the tapes and/or make copies of them post-indictment, in preparation for trial. Counsel for defense, to include appellate counsel and Post-Conviction Relief counsel, shall be allowed to make copies of "evidence" for trial preparation purposes only, and the release of said "evidence" must be in compliance with paragraph five (5) below.
 2. The said "evidence" shall not be used for any purpose other than to prepare for the resolution of the case to which that piece of "evidence" pertains.
 3. The said "evidence" shall not be publicly displayed, or used in any other fashion, except judicial proceedings in the case to which the "evidence" pertains.
 4. The said "evidence" may be viewed only by the parties, their counsel and their counsel's employees, investigators, experts, and those determined by counsel to be necessary in the preparation of the case. No "evidence" shall be divulged to any

- person not authorized to view said "evidence" pursuant to this Order.
5. Defense counsel shall not allow "evidence" to be in the defendant's or any other lay person's custody. The defendant may be allowed to view said "evidence" while in the presence of his/her attorney, but the attorney must maintain all such "evidence" in his/her custody at all times. Counsel for the State or Defense are responsible for making any individual aware of the terms of this Order, prior to granting such individual (i.e. investigators, employees, or experts) possession of the "evidence".
 6. Upon final resolution of the case, all "evidence" shall be collected and maintained or destroyed by the attorney for the State and Defense in a manner protecting the confidentiality of the witness(es). Likewise, the recipient (i.e. investigators, employees, or experts) of "evidence" shall surrender said "evidence" to the attorney who provided it so that it may be maintained in accordance with this Order. A case shall be deemed to have reached a final resolution when both direct appeal and post-conviction relief proceedings have concluded.

- D. **Plea Offers:** The Solicitor's Office shall prepare a written plea offer for all General Sessions cases. Plea offers shall be communicated at the Initial Appearance Date to all attorneys who have filed a general letter of representation with the Solicitor's Office. Plea offers will expire at the end of the day of the defendant's scheduled Docket Appearance.

3. INITIAL APPEARANCE

- A. The Initial Appearance will be held in the General Sessions Courtroom or other room so designated at the Abbeville County Courthouse on Friday at 2:30 p.m. as set forth in the schedule prepared and supplied by the Solicitor's Office. Roll Call will be conducted as necessary to ensure attendance. The Clerk of Court is authorized to issue bench warrants for those defendants who fail to appear and have not been excused by the Solicitor's Office or the Chief Administrative Judge for General Sessions (hereinafter Chief Administrative Judge).
- B. There shall be no continuances of Initial Appearances.
- C. Defendants may be excused from Initial Appearance, in writing, by the Solicitor's Office if all matters to be addressed by the prosecution and defense are resolved prior to the hearing.
- D. When available, the presiding Circuit Court judge may hold status conferences during this appearance to assist the parties in negotiating agreements.
- E. The issue of legal representation shall be addressed at the Initial Appearance.
 1. If a defendant qualifies for a Public Defender, but has retained private counsel prior to the Initial Appearance date, that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor's office. The Public Defender shall be relieved of representation at that time.
 2. If the defendant did not qualify for the Public Defender, and private counsel has been retained, a letter of representation must be filed with the Solicitor's Office prior to or at the Initial Appearance.
 3. Unrepresented defendants may apply for the public defender at the Initial Appearance. Applications will be taken by the Clerk of Court and, if approved, will be assigned that day.
 4. Defendants who remain unrepresented at the Initial Appearance must appear on

their Docket Appearance date and remain in court until excused by the presiding judge or the Solicitor's Office. These defendants must appear for each successive term of court as required by their bond until their case is disposed.

5. **Conflicts:** In all cases where the defendant is represented by the Public Defender, the Public Defender shall assess the case at the Initial Appearance for possible conflicts of interest and resolve those readily identifiable conflicts on that date. The Clerk of Court shall, upon Affidavit of Conflict, appoint the next attorney from the conflict list and advise the defendant as to the identity of their attorney. The newly appointed counsel shall also be notified.
 - F. **Competency Issues:** Issues of competency shall be addressed at the Initial Appearance. When appropriate, defense counsel shall move for a competency evaluation, and the State may consent to the evaluation of the defendant at the Initial Appearance. In the alternative, the State and Defense counsel may schedule a hearing to determine if a competency evaluation is necessary.
 - G. **Negotiations:** In all cases where it is feasible to do so, at the Initial Appearance, the defendant and the State shall enter into negotiations concerning pleas and scheduling. All offers tendered at the Initial Appearance must be accepted or rejected by the defendant's Docket Appearance.
 - H. In order to be prepared to respond to the State's plea offer in a timely manner, all counsel should meet in person with their clients prior to the Docket Appearance Date for the purposes of discussing the State's plea offer and other matters relating to the defendant's case.
 - I. **Dispositions Tracks:** All cases shall be assigned one of two dispositional tracks. Track 1 is 180 days from the date of the Defendant's Initial Appearance. Track 2 is 365 days from the date of the Defendant's Initial Appearance. Assignment of the cases to a track shall be in the sole discretion of the solicitor and shall be made no later than the Defendant's Initial Appearance. Should the dispositional date fall on a non-court week, it will be extended until the end of the next term of court.
 - J. **Exemptions from Dispositional Tracks:** The following cases are exempt from assignment to a dispositional track: Murder, Manslaughter, Reckless Homicide, Felony DUI resulting in Death, Homicide by Child Abuse, and any other offense resulting in the death of the victim. Additionally, all offenses related to Criminal Sexual Conduct, and any other case the Solicitor deems inappropriate for assignment to a track because of its complexity or extenuating circumstances.
4. **INDICTMENTS**
- A. All General Sessions cases to be presented for indictment shall be presented to the Grand Jury of Abbeville County within ninety (90) days of receipt of the warrant in accordance with Rule 3 SCRCrP. This court recognizes that due to their nature or type, certain cases may not be prepared to go to the Grand Jury within ninety (90) days and grants an extension in those cases.
 - B. In accordance with South Carolina law, a preliminary hearing shall not be held on any case in which the defendant is indicted prior to the preliminary hearing being held.

5. DOCKET APPEARANCE

- A. The Docket Appearance will be held along with roll call in the General Sessions Courtroom, or such other place as may be designated, at the Abbeville County Courthouse on Monday at 9:00 a.m. as set forth in the schedule prepared and supplied by the Solicitor's Office. Roll call will be conducted as necessary to ensure attendance. The Clerk of Court is authorized to issue bench warrants for those defendants who fail to appear and have not been excused by the Solicitor's Office or the Chief Administrative Judge.
- B. All parties shall, during this appearance, engage in final plea negotiations. In those cases where a plea agreement is reached, the parties shall prepare the necessary paperwork, obtain the necessary signatures, and schedule the plea.
- C. Plea offers shall expire at 5:00 p.m. on the Docket Appearance Date and will not be extended unless the defendant demonstrates a material change in circumstances or some other exceptional situation. Hiring of new counsel does not qualify as a material change or exceptional situation.
- D. The presiding General Sessions judge will hold Docket Appearance status conferences on cases that remain unresolved at 2:30 p.m. on the Monday of the Docket Appearance Date to assist the parties in resolving their cases. The Chief Administrative Judge shall assign a Circuit Court judge to preside over the Docket Appearance status conferences.
- E. Defendants who remain unrepresented on their Docket Appearance Date must be present in court throughout the following term. These defendants must appear for each successive term of court as required by their bond until their case is resolved.

6. GENERAL SESSIONS COURT PRACTICE

- A. A trial roster and a roll call roster shall be prepared for each term of General Sessions Court. For consecutive weeks, the roster may cover two (2) weeks of court. The rosters shall be prepared and published at least seven (7) business days prior to the term of court pursuant to § 1-7-330 of the South Carolina Code of Laws and will be posted on the Eighth Circuit Solicitor's web site (scsolicitor8.org), provided to the Chief Public Defender for Abbeville County, and to the Chief Administrative Judge.
- B. The Solicitor's Office shall set the order of trials and a representative of the Solicitor's Office shall meet with the Chief Administrative Judge and a representative from the Public Defender's Office no later than the Monday morning a week prior to the term of court to review the order of trials, as well as, the Court's plea, bond, and probation revocation schedule.
- C. All Motions for Continuance and requests for Orders of Protection shall be submitted to the presiding judge and Solicitor's Office no later than seven (7) days prior to the start of the court term for which the continuance or protection is sought.
- D. The Solicitor's Office shall provide, on a monthly basis, to the Chief Administrative Judge a list of all cases which are within thirty (30) days of their disposition dates.

E. Nothing in this Order shall be construed by this court or any other court as reason for a case to be judicially dismissed. This Order is intended to be strictly administrative in nature.

IT IS SO ORDERED.



Brooks P. Goldsmith
Chief Administrative Judge
Eighth Judicial Circuit

Lancaster, South Carolina
November 6, 2007

COOPERATIVE CASE MANAGEMENT ADMINISTRATIVE ORDER

Pursuant to the authority vested in this Court by the attached Administrative Order (Attachment "A") signed by The Honorable Chief Justice Jean Toal of the South Carolina Supreme Court, the following Case Management Administrative Order is hereby adopted by this Court for the County of Berkeley General Sessions Court.

This Court hereby declares and orders that all General Sessions cases arising after October 1, 2006 will be processed through the Court under the principles of the system known as Cooperative Case Management. In accordance with the requirements of this system the following rules are hereby adopted.

The Court hereby directs that in each General Sessions case arising before the various Magistrates and Municipal Courts of this County, the following shall be done:

I. BOND HEARING

- A. The Magistrate or Municipal Judge shall serve the defendant with a Notice of Mandatory Court Appearances at the time of the bond hearing. The defendant's attendance at the initial appearance hearing and second appearance hearing shall be made a condition of the defendant's bond. The dates of the initial appearance hearing and the second hearing shall be assigned in accordance with the schedule prepared and supplied by the Solicitor's Office.
- B. During the course of the bond hearing the Magistrate or Municipal Judge shall inform the defendant in writing and orally of his or her right to a Preliminary Hearing. Should a hearing be desired, it must be requested, in writing, on or before the initial appearance date but no sooner than 5 days following the bond hearing.
- C. All General Sessions defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for the appointment of counsel. Such screening will be done in a manner as prescribed by the Clerk of Court
- D. Magistrates and Municipal Judges shall transmit warrants to the Clerk of Court within fifteen (15) days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure.

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COURT CLERK OF COURT

 COUNTY OF BERKELEY

II. DISCOVERY

- A. All law enforcement agencies shall provide copies of General Sessions case reports, together with all witness statements, video and audio tapes, photographs and diagrams, and any other material included in the law enforcement case file to the Solicitor's Office within thirty (30) days of the arrest of the defendant. If the case file remains incomplete thirty days after arrest, law enforcement shall provide the Solicitor's Office that portion of the report that is complete, together with a listing of those items to be provided when compiled.
- B. Defense discovery packets shall be prepared and provided by the Solicitor's Office within forty-five (45) days of arrest to all attorneys that have filed a general letter of representation along with the appropriate discovery requests with the Solicitor's Office.
- C. Where applicable, the Solicitor's Office shall prepare a written plea offer for all General Sessions cases within forty-five (45) days of arrest. If a plea offer is to be made, that offer shall be communicated within forty-five (45) days of arrest to all attorneys that have filed a general letter of representation with the Solicitor's Office.

III. INITIAL APPEARANCE

- A. Approximately forty-five (45) days after arrest, the Initial Appearance hearing will be held on Fridays in a courtroom to be designated by the Clerk of Court at the Berkeley County Courthouse. A schedule of those defendants previously noticed for such hearing shall be prepared and supplied by the Solicitor's Office. Roll call will be conducted as necessary to ensure attendance. The Clerk shall upon proper motion issue bench warrants for those defendants who fail to appear and have not been excused by the Solicitor's Office or the Chief Administrative Judge for General Sessions Court.
- B. Defendants may be excused from Initial Appearance by filing letter with the Clerk of Court and providing a copy to the Solicitor's Office certifying that all matters to be resolved during Initial Appearance have been addressed by the prosecution and defense prior to the hearing. Such letter must be filed with the Clerk of Court and served on the Solicitor's office prior to the roll call to be conducted at the initial appearance hearing. Unless excused in advance, there shall be no continuances of Initial Appearance.

- C. When available, the Chief Administrative Judge for General Sessions Court or his judicial designee may hold status conferences during this appearance to assist the parties in resolving pretrial issues or pleas.
- D. The issues of legal representation shall be addressed at the Initial Appearance.
- a. If a defendant qualified for a Public Defender, but has retained private counsel prior to the Initial Appearance date, then that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor and Public Defender. The Public Defender shall be relieved of representation at that time when the filing and service have been completed.
 - b. If a defendant did not qualify for a Public Defender, and private counsel has been retained, then a letter of representation must be filed with the Clerk of Court and a copy served upon the Solicitor's Office and the Public Defender on or before the initial appearance.
 - c. Unrepresented defendants may apply for a Public Defender at the initial appearance.
 - d. Defendants who remain unrepresented at the initial appearance must appear for their Second appearance hearing and remain in Court throughout that term until excused by the Court. These defendants must appear for each successive term of Court as required by their bond until their case is disposed.
 - e. In all cases where the defendant is represented by the Public Defender the Public Defender shall assess the case at the initial appearance for possible conflicts of interest and resolve those readily identifiable conflicts on that date. The Clerk shall, upon Affidavit of Conflict, appoint the next attorney from the conflict list and advise the defendant as to the identity of their attorney. The newly appointed counsel shall also be notified by the Clerk of Court.
- E. Issues of competency shall be addressed at the Initial Appearance. When appropriate, defense counsel shall move for a competency evaluation, and the state may consent to a competency evaluation of the subject defendant at the Initial Appearance. In the alternative, the State and defense may schedule a hearing to determine if a competency evaluation is necessary.

- F. In all cases where it is feasible to do so, at Initial Appearance the defendant and the State shall enter into negotiations concerning pleas and scheduling. Any plea offers tendered at the initial appearance must be accepted or rejected by the defendant's second appearance date.
- G. In order to be prepared to respond to the State's plea offer in a timely manner, all public defenders and conflict Court appointed counsel shall meet in person with their clients prior to the second appearance hearing for the purpose of discussing the State's plea offer and all other matters relating to the defendant's case. It is suggested that the public defender use the Initial appearance hearing to schedule appointments for this purpose.
- H. Prior to the Initial Appearance, the case will be assigned a disposition date approximately one hundred twenty (120) days from the date of the Initial Appearance. It is the objective of all parties to have every case concluded on or before its disposition date. Should the disposition date fall on a non-court week, it will be extended until the end of the term of Court. Homicide and Criminal Sexual Conduct cases are an exception to this system and will not be assigned a disposition date.

IV. INDICTMENTS

- A. All General Sessions cases to be presented for indictment shall be presented to the Berkeley County Grand Jury within ninety (90) days in accordance with Rule 3 of the South Carolina Rules of Criminal Procedure. This Court recognizes that due to their nature or type, certain cases may not be prepared to go to the Grand Jury within ninety (90) days and grants an extension in those instances.
- B. In accordance with South Carolina law, no preliminary hearings will be held on indicted cases.

V. SECOND APPEARANCE

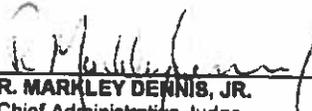
- A. Approximately one hundred twenty (120) days from the date of arrest, the Second Appearance hearing will be held on Fridays at the Berkeley County Courthouse. A schedule of those defendants previously noticed for such hearing shall be prepared and supplied by the Solicitor's Office. Roll call will be conducted as necessary to ensure attendance. The Clerk shall upon proper motion issue bench warrants for those defendants who fail to appear and have not been excused by the Solicitor's Office or the Chief Administrative Judge for General Sessions Court.

- B. All parties shall, during this appearance, engage in final plea negotiations. In those cases where a plea agreement is reached, the parties shall prepare the necessary paperwork, obtain the necessary signatures, and schedule the plea.
- C. Plea offers shall expire at the end of the business day on the second appearance date and will be extended only at the sole discretion of the Solicitor's office.
- D. When necessary the Chief Administrative Judge for General Sessions Court or his judicial designee will be present to assist the parties with cases that are unresolved at the second appearance.
- E. Defendants who remain unrepresented on their Second appearance date must be present in Court throughout the following term. These defendants must appear for each successive term of Court as required by their bond until their case is disposed.

VI. GENERAL SESSIONS COURT PRACTICE

- A. A trial roster and a roll call roster shall be prepared for each term of General Sessions Court. For consecutive terms, the rosters may cover two terms of court. The rosters shall be prepared and published on the Solicitor's website at www.scsolicitor9.org at least ten (10) business days prior to the term of Court. A copy will also be provided to the Chief Public Defender for Berkeley County, and to the Chief Administrative Judge for General Sessions Court.
- B. The Solicitor's Office shall set the order of trials and a representative of the Solicitor's Office shall meet with a representative of the Public Defender's Office no later than the Monday morning a week before the term of court begins to review the order of trials as well as the Court's plea, bond and probation revocation schedule. It shall be the responsibility of all attorneys with clients on this docket to notify their clients that their case is scheduled for disposition.
- C. During a term of General Sessions Court all assigned solicitors and public defenders shall be present in the designated courtrooms no later than 9:00 a.m. for the morning session of court and 1:30 p.m. for the afternoon session of court, unless excused by the presiding judge.
- D. Nothing in this Order shall be construed by this Court or any other Court as a reason for a case to be judicially dismissed. This Order is intended to be administrative in nature.

AND IT IS SO ORDERED!



R. MARKLEY DENNIS, JR.
Chief Administrative Judge
Ninth Judicial Circuit Court of General Sessions

Moncks Corner, South Carolina

October 25, 2006

11/10/06

Attachment A

The Supreme Court of South Carolina

ORDER

Judge R. Markley Dennis, Jr. has been designated Chief Judge for Administrative Purposes for the Ninth Judicial Circuit (Criminal) for the period July 2, 2006 through December 30, 2006 and submitted for approval the attached administrative orders establishing certain local rules for the processing of criminal cases in Berkeley County and Charleston County.

Pursuant to S.C. Const. Art V, §4, the administrative orders are hereby approved for use in Berkeley County and Charleston County.

IT IS SO ORDERED.


Jean Hooper Toal
Chief Justice

October 16, 2006
Columbia, South Carolina

FILED

2017 JUN 12 AM 9:05

CLERK OF COURT

The Supreme Court of South Carolina

ORDER

The Chief Judge for Administrative Purposes for the Ninth Judicial Circuit (Criminal) has submitted for approval the attached Administrative Order establishing certain rules for the processing of criminal cases in Charleston County.

Pursuant to S.C. Const. Art. V, Section 4, the Administrative Order is hereby approved for use in Charleston County.

AND IT IS SO ORDERED!



DONALD W. BEATTY
Chief Justice

May 25, 2017
Charleston, South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON) IN THE COURT OF GENERAL SESSIONS

AMENDED ADMINISTRATIVE ORDER

Pursuant to the authority vested in the Court by the attached Administrative Order (Attachment "A") signed by the Honorable Chief Justice of the Supreme Court of the State of South Carolina, Donald W. Beatty, the following Administrative Order is adopted by this Court for Charleston County.

The Administrative Order dated October 26, 2006, which has managed General Sessions charges moving through the system since October 1, 2006, is modified to address additional changes to the system. After March 31, 2017, the Solicitor will no longer determine the General Sessions Docket. This authority is voluntarily transferred by the Solicitor to the Chief Administrative Judge for General Sessions for an indefinite period of time as a pilot program in the Ninth Judicial Circuit.

The Court hereby declares and orders that all General Sessions cases in which an arrest is made after March 13, 2017, will be processed through the Court under the principles set forth in this Order. In accordance with the requirements of this system, the rules explained in this Order are hereby adopted.

The Court directs that in each General Sessions case arising before the various Magistrates and Municipal Courts of the County, the following procedure is to be followed:

A. BOND HEARING

1. Magistrates and Municipal Judges are required to transmit warrants to the Charleston County Clerk of Court within fifteen (15) days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure.¹
2. A defendant will be served with a Notice of Initial Appearance at his or her bond hearing. The date of the Initial Appearance will be assigned in accordance with the schedule prepared and distributed by the Chief Administrative Judge. A defendant's attendance at the Initial Appearance will be made a condition of that defendant's bond and noted under Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form unless the Defendant is excused pursuant to paragraph (D)(2), below.
3. During the course of a bond hearing, the Magistrate or Municipal Judge shall inform the defendant, both orally and in writing, of his or her right to a Preliminary Hearing. Should the defendant desire a hearing, he or she must request it, in writing, on or before the Initial Appearance.
4. All General Sessions defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for the appointment of counsel.

B. DISCOVERY

1. All law enforcement agencies shall provide copies of General Sessions case reports, together with all witness statements, video and audio recordings, photographs and diagrams, and any other material included in the law enforcement case file to the Solicitor's Office within thirty (30) days of a defendant's arrest. If the case file remains incomplete thirty (30) days after arrest, law enforcement shall provide the Solicitor's Office that portion of the report that is complete, together with a listing of those items to be provided when compiled.
2. Defense discovery packets shall be prepared and provided by the Solicitors Office within sixty (60) days of arrest to all attorneys that have filed a general letter of representation along with the appropriate discovery requests with the Solicitor's Office.

¹ "Magistrates, municipal judges, and other officials authorized to issue warrants shall, in all cases within the jurisdiction of the Court of General Sessions, forward to the Clerk of the Court of General Sessions all documents pertaining to the case including, but not limited to, the arrest warrant and bond, within fifteen (15) days from the date of arrest in the case of an arrest warrant and date of issuance in the case of other documents. Transmittal shall be pursuant to procedures now or hereafter promulgated by the Office of South Carolina Court Administration." Rule 3(a), SCRCrimP.

Amended

3. All law enforcement agencies are required to forward the following to the Solicitor's Office within sixty (60) days of a warrant being issued: all existing case reports, investigative reports, and incident reports, as well as any other discovery. If the law enforcement agency fails to provide discovery within this deadline, the warrant(s) may be dismissed without prejudice by the Chief Administrative Judge for General Sessions or a designated Judicial Representative.
4. Notification shall be provided to a defendant or a defendant's attorney of record and his or her bondsman that the defendant is not required to appear at the Initial Appearance when the warrants are dismissed. If a warrant is dismissed for law enforcement's failure to provide discovery, that agency must petition the Chief Administrative Judge for General Sessions for authority to re-initiate charges with a new warrant. The requesting law enforcement agency must establish good cause for its initial failure to timely transmit discovery. Failure to present good cause will result in the refusal to issue a second warrant.
5. It is the intent of this Administrative Order that the Solicitor and defense attorneys exchange discovery as early in the process as possible. Accordingly, when feasible, defense attorneys and the State will enter into negotiations concerning pleas or other means of resolving the pending matter(s). This process should be initiated prior to the Status Conferences.

C. PRELIMINARY HEARING

1. A Preliminary Hearing, if timely requested, will be held at the appropriate Court issuing the charge(s) against the defendant.
2. The Solicitor's Office will represent the State at all preliminary hearings.
3. Continuances of Preliminary Hearings may only be granted in extreme circumstances.
4. The defendant or his or her attorney must be present to be given a Preliminary Hearing. If a defendant has requested a hearing in a case involving an individual affiant, the failure of that affiant to appear and give testimony will result in the dismissal of the warrant if the defendant or his or her attorney appear and make the appropriate Motion.
5. A Preliminary Hearing, if desired, must be requested in writing on or before indictment or the Initial Appearance date.

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D. INITIAL APPEARANCE

1. Initial Appearances will be held at the Charleston County Judicial Center. Roll Call will be conducted as necessary to ensure attendance. The Clerk of Court is authorized to issue a Bench Warrant for any defendant who fails to appear and has not been excused by the Chief Administrative Judge for General Sessions. The Court will notify the Solicitor and defense counsel (if any) that a bench warrant has been issued.
2. Solicitors, Public Defenders, and appointed or retained counsel shall, upon assignment, appointment, or retention promptly file a general notice of representation or appearance with the Clerk of Court and serve notice upon all other counsel of record. All notices of representation must specify the warrant numbers and indictment numbers—if the defendant has already been indicted—for which the Solicitor, Public Defender or private counsel has been assigned, appointed, or retained. Once a notice of appearance has been duly filed, the counsel appointed or retained by defendant may be relieved from representation only by order of the Court.
3. In order to be properly excused a defendant must be represented by counsel who consents to waiving the Initial Appearance on an "Initial Appearance Waiver" form provided by the Clerk of Court. This form must be signed by a defendant, his or her counsel, and the solicitor handling the case. The form must be properly completed and filed with the Clerk of Court not less than five (5) days prior to the date scheduled for the Initial Appearance.
4. There will be no continuances of Initial Appearances.
5. The following issues will be addressed at a defendant's Initial Appearance:
 - a) Any issues regarding representation:
 - i. If a defendant qualifies for Court appointed counsel and has not retained private counsel before his or her Initial Appearance, the Public Defender will continue to represent the defendant.
 - ii. If a defendant qualifies for Court appointed counsel but has retained private counsel prior to his or her Initial Appearance, that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor's Office. The Public Defender will be relieved of representation at that time.
 - iii. If a defendant did not qualify for Court appointed counsel and private counsel has been retained, that attorney must file a letter of representation with the Clerk of Court and served on the Solicitor's Office.

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- iv. An unrepresented defendant may apply for Court appointed counsel at his or her Initial Appearance. The Public Defender's office will take applications and if a defendant is approved, he or she will be assigned a Public Defender that day.
 - v. A defendant who remains unrepresented at his or her Initial Appearance must appear at the Status Conference, which will be scheduled by the Clerk of Court and the date for which will be provided to the defendant at his or her Initial Appearance.
- b) Any mental health issues.
 - c) Any issues related to the analysis of drugs or any other types of evidence.
 - d) Any other issue that may affect the timing of the disposition of the criminal case including issues related to conflicts in representation.
6. In all cases where a defendant is represented by Court appointed counsel, the Public Defender will assess the case for possible conflicts of interest and resolve those conflicts readily identifiable. Upon determination of a conflict of interest the Public Defender shall prepare an order appointing the next attorney on the conflict list maintained by the Public Defender. The proposed order shall be transmitted to the Chief Administrative Judge. The Clerk of Court shall, upon receipt of the order, serve the newly appointed counsel with notice of the appointment and advise the defendant of his or her newly appointed attorney.
 7. At the Initial Appearance, the case will be assigned to a one hundred eighty (180) day track. Cases involving Murder and Criminal Sexual Conduct are exempted from this track but should be resolved within one (1) year absent Court approved deviation. Any party may move for a deviation of the 180 day track due to the complex nature of the case or other unusual or extenuating circumstances.

E. INDICTMENTS

1. All General Sessions cases to be presented for indictment, shall be presented to the Charleston County Grand Jury within ninety (90) days in accordance with Rule 3(c) of the South Carolina Rules of Criminal Procedure.² This Court

² "Within ninety (90) days after receipt of an arrest warrant from the Clerk of Court, the solicitor shall take action on the warrant by (1) preparing an indictment for presentment to the grand jury, which indictment shall be filed with the Clerk of Court, assigned a criminal case number, and presented to the Grand Jury; (2) formally dismissing the warrant, noting on the face of the warrant the action taken; or (3) making other affirmative disposition in writing and filing such action with the Clerk of Court." Rule 3(c), SCRCrimP.

recognizes that due to their nature or type, certain cases may not be prepared to go to the Grand Jury within ninety (90) days and will grant an extension in those instances.

2. In accordance with South Carolina law, no Preliminary Hearings will be held on indicted cases.

F. STATUS CONFERENCE

1. The Chief Administrative Judge or a Judicial Representative will conduct a Status Conference at the Charleston County Judicial Center. This conference will be scheduled by the Clerk of Court, and notice provided to defendants or their counsel in all active cases, approximately ninety (90) days from the date of arrest unless the case has been previously scheduled for a guilty plea or a Scheduling Order, as hereinafter provided, has been duly signed by the Chief Administrative Judge and filed with the Clerk of Court.
2. Notice of the time and place for the Status Conference will be sent to the defendant or his or her counsel and to the Solicitor. If the defendant is represented, counsel may appear for defendant. If the defendant is unrepresented, then the defendant must appear. If a defendant is unrepresented, the notice herein provided will be sent to the last address provided by a defendant. It is the sole responsibility of an unrepresented defendant to provide the Clerk of Court his or her current address. The Clerk of Court is authorized to issue a Bench Warrant for any defendant who fails to appear and has not been excused by the Chief Administrative Judge.
3. Parties shall be prepared to discuss the following matters at the Status Conference:
 - a) The possible simplification of the issues;
 - b) The possibility of obtaining admissions of fact and documents which will avoid unnecessary proof;
 - c) The need of expert witnesses and any time constraints associated;
 - d) Any discovery issues and whether both sides have fully complied with disclosure requirements of *Brady v. Maryland*, 373 U.S. 83 (1963) and the South Carolina Rules of Criminal Procedure;
 - e) Pending motions and the scheduling for disposition;
 - f) The possibility of a resolution of the case without the assistance of a jury;

- g) Such other matters as may aid in the disposition of the case
4. If necessary, additional status conferences may be requested by either party at any time thereafter to aid in the resolution of a case.

G. PLEA OFFERS

1. Prompt evaluation of cases and early plea negotiations assist the Court, and the parties resolving cases, in preparing the Trial Docket efficiently and accurately.
2. Prosecutors for the state should endeavor to extend plea offers in their cases and should do so not later than thirty (30) days prior to the defendant's Scheduling Conference. Plea offers shall be in writing and delivered to defense counsel or directly to pro se defendants.
3. Likewise, the State's decision not to negotiate or extend a plea offer shall be communicated to the defense counsel or pro se defendants in writing at least thirty (30) days prior to the defendant's Scheduling Conference.
4. Defense attorneys have a duty to promptly communicate plea offers to their clients. If a defendant accepts a plea offer, a written acceptance signed by the defendant and his or her attorney shall be served on the Solicitor assigned to prosecute the case on or before the date of the defendant's Scheduling Conference.
5. A Defendant's attorney must affirm in the response to any plea offer that he or she has complied in every respect with the tenets of *Missouri v. Fry*, 566 U.S.133 (2012) and *Lafler v. Cooper*, 566 U.S. 156 (2102). If an attorney has not been able to comply with *Fry* and *Lafler*, by the offer's deadline, that attorney shall outline in writing, to the Chief Administrative Judge and the Solicitor, the reasons why he or she is not in compliance.
6. Nothing in this section prohibits plea negotiations or other negotiations from taking place prior to the deadlines for plea offers to be extended to a defendant.

H. SCHEDULING CONFERENCE

1. Approximately one hundred fifty (150) days from the date of arrest, a hearing will be held at the Charleston Court Judicial Center. A schedule of those defendants previously noticed for such hearing shall be prepared by the Clerk of Court and provided to the Solicitor and Public Defender. Roll Call will be conducted as necessary to ensure attendance. The Clerk shall issue Bench Warrants for those defendants who fail to appear and have not been excused by the Chief Administrative Judge.

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2. At the Scheduling Conference, the Court will inquire whether a matter is for plea or for trial. If the matter is for plea, the Court will assign a date and time for the plea hearing. All sentencing sheets and other paperwork must be completed by the parties prior to the day the matter is set for a plea hearing.
3. Plea offers shall expire at the end of the business day of the Scheduling Conference and will only be extended at the sole discretion of the Solicitor's Office.
4. If the plea negotiations are unsuccessful at the Scheduling Conference, the case will be scheduled for trial before one of the presiding General Sessions Judges. Except for good cause shown to the Chief Administrative Judge, the Chief Administrative Judge or his or her designated Judicial Representative must hear any plea taken after the case is scheduled for trial.
5. When necessary the Chief Administrative Judge or a Judicial Representative will be present to assist the parties with cases that are unresolved at the Scheduling Conference.
6. Cases may be resolved at any time prior to the specified guidelines.

I. GENERAL DOCKET, TRIAL ROSTERS, AND CALL OF CASES FOR TRIAL

1. The Clerk of Court shall maintain:
 - a) A General Docket of all General Sessions cases filed in the Circuit Court;
 - b) A Jury Trial Roster of all cases transferred from the General Docket wherein the case is—by agreement of counsel, scheduling order, or expiration of time—deemed ready for jury trial; and
 - c) A Nonjury Docket of all nonjury matters including all motions filed in the Circuit Court.
2. A case may not be called for trial until it has been transferred to the Jury Trial Roster. Cases shall be called for trial in the order in which they are placed on the Jury Trial Roster, unless the Court in a Scheduling Order has set a date certain for the trial, or, after the case has been set on the Jury Trial Roster, the court, upon motion, grants a continuance. Notwithstanding the foregoing, no action may be called for trial until one hundred eighty (180) days after the date of arrest unless all parties consent in writing.

Proofs

3. A case may be moved from the General Docket to the Jury Trial Roster at any time by agreement of all counsel of record. If an agreement is reached, counsel shall notify the Clerk in writing and the Clerk shall immediately transfer the case to the Jury Trial Roster.
4. When a case is moved from the General Docket to the Jury Trial Roster, the Clerk shall notify counsel of record of the transfer, but publication of the Jury Trial Roster also shall be deemed notice of the automatic transfer.
5. Any party may request a scheduling order by filing a written motion for a scheduling order. Within ten (10) days of the filing of such motion that party shall file and serve a Response to the Request for a Scheduling Order which shall include:
 - a) All matters deemed relevant by counsel that may be raised in a Status Conference;
 - b) All discovery remaining to be completed;
 - c) Any other matter affecting the trial date; and
 - d) The date on which all pre-trial matters shall be completed and the case ready for trial.

The clerk shall promptly set the request for a Scheduling Order for a hearing before the Chief Administrative Judge to review the matter and, in its discretion, set a date on which the case is to be transferred to the Jury Trial Roster, and may set a date before which the case may not be called for trial or a date certain for trial. The Scheduling Order may be amended by a subsequent Chief Administrative Judge.

6. The Clerk shall immediately transfer all matters designated as nonjury matters from the General Docket to the Nonjury Docket. Likewise, any pre-trial motions filed in any case shall be immediately placed on the Nonjury Docket. Parties wishing to hear such motions shall serve and file a written motion stating with particularity the grounds therefor and setting forth the relief or order sought. The Chief Administrative Judge, in cooperation with the General Sessions Court Coordinator shall set the pre-trial motions that may be heard before trial on the Nonjury Docket for disposition. Motions may be scheduled for hearing at any time after the period for notice of the motion required by these rules.
7. At least thirty (30) days before each term of court, the General Sessions Court Coordinator for the Clerk of Court will prepare and publish a docket of all cases that are subject to call during the upcoming court term. Making the docket available in the Clerk of Court's Office or placement on the Clerk's

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Internet site shall effect publication. It is the responsibility of all attorneys who have clients on this docket to notify their clients that their case is scheduled for disposition.

8. From the chronological roster described in paragraph 7, above, the Chief Administrative Judge in conjunction with the General Session's Court Coordinator, shall prepare a Jury Trial Docket for the upcoming term of court. The Jury Trial Docket shall consist of a sufficient number of cases for each day of the term of court, but the Trial Docket must not consist of more than twenty (20) cases for trial each term of Court. However, when multiple judges are assigned to a term of court the Chief Administrative Judge may adjust the Jury Trial Docket accordingly.
9. The cases shall be called for trial in the order in which they are placed on the Jury Trial Roster, unless the court in a Scheduling Order has set a date certain for the trial, or, after the case has been set on the Jury Trial Docket, the Court, upon motion grants a continuance pursuant to Rule 7 of the South Carolina Rules of Criminal Procedure.³ Ordinarily, such continuances shall be only until the next term of court. Each scheduled calendar week of circuit court shall constitute a separate term of court. The Solicitor's Office will be allowed ten percent (10%) of the trial docket slots for priority cases.

J. DEFENDANT'S FAILURE TO APPEAR

1. Ninety (90) days after a Bench Warrant is issued for a defendant who fails to appear, the Solicitor may file a change of status form with the Clerk of Court. Once the requisite form has been filed, the case may be administratively transferred to FAILURE TO APPEAR status and removed from the Jury Trial Roster. The Clerk of Court shall transmit this information to the South Carolina Judicial Department, which shall remove the case from its list of active cases.
2. In all cases where a defendant is arrested pursuant to a Bench Warrant for failure to appear, the case may be transferred from the FAILURE TO APPEAR status, upon written request of the Solicitor, to the Clerk of Court, who shall restore the case to pending status and transmit this information to

³ "The chief administrative judge for General Sessions in each circuit shall have exclusive authority to grant continuances of cases scheduled for trial or expected to be called for trial. Continuances may be granted by a presiding judge during a term of court at which he presides only upon written request by counsel, and any order granting a continuance shall be in writing, shall be made only upon a showing of good and sufficient legal cause and shall be filed forthwith with the clerk of court. A continuance granted by a presiding judge cannot extend beyond the next term of court without the approval of the chief administrative judge." Rule 7, SCRCrimP.

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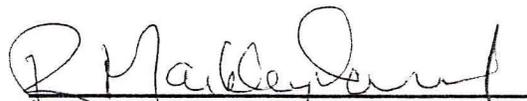
the South Carolina Judicial Department, which shall restore the case to its list of active cases.

3. Once restored, the case shall be returned to the Jury Trial Roster of pending cases based on the date of the original filing, not the date of the defendant's arrest for failure to appear.
4. Either party may, after restoration, request a status conference with the Chief Administrative Judge to discuss scheduling the case for trial.

K. GENERAL SESSIONS COURT PRACTICE

1. Presiding Judges will be available from 9:00 a.m. to 9:30 a.m. on Tuesday through Friday of each General Sessions Court term to hold pre-trial with attorneys for the State and the defense. Either party may request conferences.
2. During a term of General Sessions Court, all assigned Solicitors and Public Defenders for a Plea Term shall be present in the designated courtrooms no later than thirty (30) minutes before the time scheduled for the morning and afternoon sessions unless excused by the presiding judge.
3. The Clerk of Court will create the position(s) necessary to help facilitate the implementation of this Administrative Order.
4. The Chief Administrative Judge will have the right to require status conferences on all cases that have passed the deadline for disposal on such forms as may be required by the Court.
5. Nothing in this Order shall be construed by this Court or any other Court as a reason for a case to be judicially dismissed. This Order is intended to be administrative in nature.

AND IT IS SO ORDERED!



R. MARKLEY DENNIS, JR.
Chief Administrative Judge
Ninth Judicial Circuit Court of General Sessions

2017 JUN 12 AM 9:05

FILED

Charleston, South Carolina

~~April~~ 12, 2017

June

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**COOPERATIVE CASE MANAGEMENT
ADMINISTRATIVE ORDER**

Pursuant to the authority vested in this Court by the Administrative Order issued by the Honorable Jean Hoefler Toal, Chief Justice of the South Carolina Supreme Court, the following Cooperative Case Management Administrative Order is hereby adopted by this Court for the County of Anderson.

This Court hereby declares and orders that all General Sessions cases arising after January 1, 2008 will be processed through the Court under the principles of the system known as Cooperative Case Management. In accordance with the requirements of this system the following rules are hereby adopted.

The Court hereby directs that each General Sessions case arising before the various Magistrates and Municipal Courts in the 10th Circuit, the following shall be done:

GENERAL MATTERS

1. Upon receipt of warrant transmittal, warrant, bond forms, and other documents, the Clerk of Court shall enter the information (Ex: Defendant information, Bondsman and bond information, warrant information, etc.) into the Statewide Case Management System, to be available for viewing and sharing with Prosecutors Case Management System (PCMS) and all authorized users.

2. The Clerk of Court or her/his designee shall attend and provide appropriate staffing for all scheduled General Sessions proceedings.

3. The Clerk of Court shall enter all information daily relating to the disposition, status change (bench warrants, bond changes, etc) of each case into the Statewide Case Management System, to be available for viewing and sharing with Prosecutors Case Management System (PCMS) and all authorized users.

BOND HEARINGS

1. The Magistrate or Municipal Judge shall serve the defendant with a Notice of Mandatory Court Appearances at the time of the bond hearing. The defendant's attendance at the Initial Appearance Date and all other appearances shall be made a condition of the defendant's bond. The date of the Initial Appearance shall be assigned in accordance with the schedule prepared by the Solicitor's Office.

2. During the course of the bond hearing, the Magistrates or Municipal Judge shall inform the defendant in writing and orally of his/her right to a Preliminary Hearing and provide the defendant with the SCCA/512 (Rev. 9/2006) form to request the preliminary hearing.

3. At the bond hearing, all General Sessions defendants shall complete a DEFENSE OF INDIGENTS ACT FORM 1 (Rev. 9/2006). Defendants will be notified that within 48 hours of release from jail they must pay a non-refundable \$40.00 fee to the Clerk of Court and schedule an appointment with the Public Defender's office for screening or retain private counsel, which representation, either public or private, prior to the Initial Appearance, shall be a condition of bond.

4. The Public Defender will schedule screening within one week of request utilizing DEFENSE OF INDIGENT ACT FORM 2 (SCCA DIA Form 2, 7/2007) to determine if defendant qualifies for appointment of counsel.

5. The Clerk of Court shall forward weekly a list of all defendants who paid the screening fee to the Public Defender and the Solicitor's office (clerkinfo@sol10th.com). The Public Defender's office shall notify in writing or email to (publicdefenderinfo@sol10th.com) their representation of new clients to the Clerk of Court and Solicitor.

6. The Public Defender will meet with all incarcerated defendants within three (3) working days of the defendant's arrest. The Public Defender will remain the attorney of record on all incarcerated defendants unless notification is received that private counsel has been retained.

7. Magistrates and Municipal Judges shall transmit warrants to the Clerk of Court within fifteen (15) days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedures.

8. Magistrates and Municipal Judges shall give defendant a list of standing Special Conditions of General Sessions Bonds for Anderson County (Attachment 1) and transmit signed copy to Clerk of Court for filing and forwarding to Solicitor's office.

9. Magistrates and Municipal Judges shall complete such forms as required by the S.C. Court Administration to include either Bail Bond Form 1 (SCCA 510, Rev. 9/2006) or Bail Bond 2 (SCCA 511, Rev. 9/2006).

PRELIMINARY HEARINGS

1. Upon receipt of a timely request, magistrate courts shall schedule a preliminary hearing pursuant to §17-23-150 of S.C. Laws. The Magistrate shall coordinate with all arresting agencies the procedures necessary to ensure proper notification of officers, victims, defense attorneys, and the Solicitor's office for all hearing dates, cancellations, and waivers.

2. Defense attorneys must notify the magistrate court coordinator of any requests for continuances within 5 working days of the scheduled hearing. If the defense attorney fails to do so, the hearing will not be rescheduled and the sitting magistrate at the scheduled hearing shall waive the hearing.

3. If a case is indicted before a preliminary hearing is held, the hearing will be cancelled and the magistrate court coordinator will notify all law enforcement and the defense attorney. The Solicitor's office will notify all victims of the cancellation.

DISCOVERY

1. All law enforcement agencies shall provide copies of General Sessions case reports including but not limited to: incident reports, all witness statements, two copies of video and audio tapes, 911 recordings, two cds of photographs, diagrams, dates, times, evidence sheets, type of evidence and date transmitted to SLED or other labs for processing, and any other material related to the case. (Information can be submitted on the most efficient media format -- Ex: cd, video tape, email (casejacketinfo@solli10th.com), or print.

2. This information shall be forwarded to the Solicitor's Office within twenty-one (21) days of the arrest of a defendant. If the file is incomplete at that time, law enforcement shall provide all parts of the report available along with a listing of the items for which law enforcement is waiting.

3. All discovery requests on cases prosecuted by the Solicitor's Office must be submitted directly to the Solicitor's Office by defense counsel and not to the arresting agency. Law Enforcement agencies are prohibited from disseminating discovery on all cases prosecuted by the Solicitor's Office.

4. The Solicitor's Office shall prepare defense discovery packets on all General Session cases and provide them based on the SC Criminal Rules of Procedure.

INITIAL APPEARANCE DATE

1. The Initial Appearance will be held at the Solicitor's Office on the 2nd Floor of the Anderson County Courthouse. Defendants will be notified by the bonding magistrate in writing of their Initial Appearance date. The Solicitor's office shall furnish Magistrates and city recorders with the Initial Appearance schedule. Initial Appearance dates shall be held within 45 days of the filing date of the warrants.

2. The Clerk of Court is authorized to issue bench warrants subject to South Carolina law for those defendants who fail to appear for their Initial Appearance Date when not excused by the Solicitor's Office.

3. The issues of legal representation that have not been addressed before the Initial Appearance date will be conducted at this time.

4. When a defendant has retained private counsel, the private attorney must file a general notice of representation with the Clerk of Court and forward a copy to the Solicitor prior to the Initial Appearance date. Upon receipt of notification of representation, any previously appointed public defender is relieved of representation.

5. Defendants, who have failed to apply for a Public Defender nor retained private counsel, as required at their Bond Hearing, are subject to bond revocation on the Initial Appearance date.

6. At the Initial Appearance, the case shall be assigned to one of three dispositional tracks. These tracks will be 180, 270 and 365 days (see attached Form 2). Assignment of cases to a track is the responsibility of the Solicitor's Office, and is done at the sole discretion of the Solicitor's Office. It is the objective of all parties to have every case concluded on or before its disposition date. Should the disposition date fall on a non-court week, it shall be extended until the end of the next term of court. Homicide, criminal sexual conduct with minors and other criminal sexual conduct cases and such other cases deemed by the Solicitor to be especially time consuming are an exception to this system and will not be assigned a disposition date.

7. The length of the track in which a case is placed determines the deadline by which a case must be disposed. The date is calculated from the Initial Appearance Date.

CLIENT CONFERENCES

1. All counsel must meet with their clients in a timely manner to discuss a potential plea and other matters so counsel can respond to any plea offers from the State and communicate any requests for a jury trial.

2. The Public Defender shall schedule client conferences with appointed defendants within twenty-one days of notification of appointment.

3. During the client conference, the public defender shall assess any conflicts of interest and resolve them at that time. If a conflict arises, the Public Defender will notify the Clerk of Court who will assign the next attorney on the conflict list and notify the defendant, assigned attorney, Public Defender, and the Solicitor.

4. Issues of competency shall also be addressed during the client conference. When appropriate, defense counsel shall move for a competency evaluation and the State may consent. In the alternative, the State and Defense may schedule a hearing to determine if an evaluation is necessary.

5. The State and defense shall have ongoing negotiations concerning pleas and scheduling of pleas so as to move cases timely, with a priority on disposing of jail cases.

6. Solicitor's office staff will be available, by phone or email, to answer defense counsel questions that arise at conferences.

INDICTMENTS

1. All General Sessions cases should be presented to the Grand Jury in accordance with Rule 3 of the S.C. Rules of Criminal Procedure. This Court recognizes that certain cases, due to their nature, may not be timely presented and will grant extensions allowed under Rule 3 (d).

2. In accordance with South Carolina law, no preliminary hearing will be held on cases that have been indicted.

DOCKET APPEARANCE DATE

1. The Docket Appearance shall occur in the county courthouse no later than 90 days after the Initial Appearance date. All plea offers shall be made, in writing, no later than thirty (30) days prior to the Docket Appearance Date. The defendant and counsel shall appear and engage in negotiations with the Solicitor's office. If a plea agreement is reached, the parties shall prepare necessary paperwork, obtain necessary signatures, and schedule a plea date.

2. On cases where no agreement can be reached, the cases will be scheduled for trial by the Solicitor on the next available term of General Sessions Court.

GENERAL SESSIONS COURT PRACTICE

1. A trial docket shall be prepared by the Solicitor for each term of General Sessions Court. The dockets shall be prepared and published via website ten (10) business days prior

to the term of court. Dockets shall be published on the 10th Circuit Solicitor's Office website www.soli10th.com. with a minimum of ten (10) and a maximum of twenty-five (25) actual trials being set for each trial judge.

2. The Solicitor's Office shall set the order of trials and the trials shall be called in the order published subject to the general supervision of the trial court.

3. Bond hearings and Motions shall be scheduled through the Solicitor's Office and set for the next available term of court.

4. All motions for continuance, orders of protections, etc. must be submitted to the presiding Judge and Solicitor within seven (7) days of the court term. The Court will endeavor to hear and rule on these motions in a timely manner so as to cause as little disruption to the court schedule as possible.

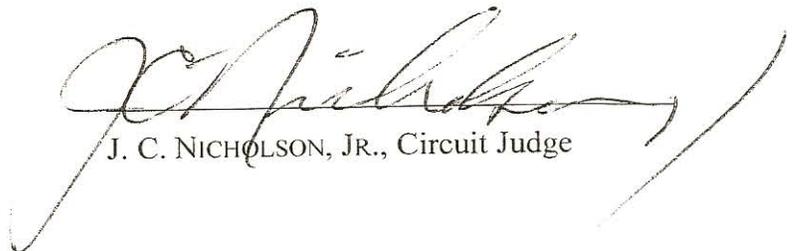
5. Nothing in this order shall be construed by this Court or any other as a reason for a case to be judicially dismissed. This order is intended to be strictly administrative in nature with the sole intent of moving criminal cases through the system as quickly as possible.

6. Conflicts arising from the implementation or interpretation of this order shall be resolved through a meeting with the parties involved and the Chief Administrative Judge.

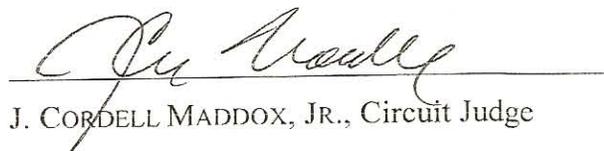
AND, IT IS SO ORDERED.



ALEXANDER S. MACAULAY
Chief Judge for Administrative Purpose



J. C. NICHOLSON, JR., Circuit Judge



J. CORDELL MADDOX, JR., Circuit Judge

January 23, 2008
Anderson, South Carolina

**SPECIAL CONDITIONS
GENERAL SESSIONS BONDS**

*** DEFENDANTS WHO FAIL TO COMPLY WITH SPECIAL CONDITIONS ***

***** WILL HAVE A BENCH WARRANT ISSUED FOR THEIR ARREST *****

1. All General Sessions Defendants shall make application for a Public Defender at the Clerk of Court Office on the 1st floor of the Anderson County Courthouse by paying a \$40.00 (forty dollar) non-refundable fee within 48 hours of release from jail or retain private counsel within the said 48 hours.
2. Defendant shall within 24 hours of paying application fee at Clerk of Court's office contact Public Defender's office at 864.260.4048 and schedule an appointment for screening.
3. Defendants who are incarcerated will be contacted by the Public Defender's office in jail within 3 working days of their arrest. These defendants will be represented by the Public Defender unless and until notified in writing that private counsel has been retained.
4. Defendants that choose to obtain private counsel shall notify the Solicitor's Office by furnishing a letter of representation issued by their attorney within 96 hours of their release from jail.
5. Defendant will be notified of initial appearance date by the Solicitor's office within 45 days from the filing date of the case.
6. Defendant is required to immediately notify the Solicitor's office of any changes in address, phone numbers, etc. or a bench warrant may be issued for your arrest.
7. Defendants must comply with all other conditions required by bonding magistrate.

Defendant

Bonding Magistrate

Date

TRACK ASSIGNMENTS
and
BREAKDOWN OF TRACKS:

180 Days:	Misdemeanors & F felonies
270 Days:	Felonies C, D, & E
365 Days:	Felonies A & B

EXEMPTIONS:

Murder and all Criminal Sexual Conduct cases and all cases deemed by the Solicitor as complex and time-consuming in nature are exempt from the above tracks.

2008-03-28-01

The Supreme Court of South Carolina

ORDER

The Honorable Alexander S. Macaulay, Chief Judge for Administrative Purposes for the Tenth Judicial Circuit for the period of January 6, 2008 through July 5, 2008, submitted for approval the attached administrative order establishing certain local rules for the processing of criminal cases in Oconee County. Therefore,

Pursuant to the provisions of S.C. CONST. Art. V, §4, the Administrative Order is hereby approved for use in Oconee County.

IT IS SO ORDERED.

s/Jean Hoefler Toal

Jean Hoefler Toal, Chief Justice

March 28, 2008
Columbia, South Carolina

To obtain a copy of the attachment to this order, please call Michelle Owen, Court Administration, (803) 734-1800.

FILED OCONEE, SC
SALLIE C. SMITH
CLERK OF COURT

COOPERATIVE CASE MANAGEMENT
ADMINISTRATIVE ORDER

2008 MAR 14 A 3:29

Pursuant to the authority vested in this Court by the Administrative Order issued by the Honorable Jean Hofer Toal, Chief Justice of the South Carolina Supreme Court, the following Cooperative Case Management Administrative Order is hereby adopted by this Court for the County of Oconee.

This Court hereby declares and orders that all General Sessions cases arising after January 1, 2008 will be processed through the Court under the principles of the system known as Cooperative Case Management. In accordance with the requirements of this system the following rules are hereby adopted.

The Court hereby directs that each General Sessions case arising before the various Magistrates and Municipal Courts in the 10th Circuit, the following shall be done:

GENERAL MATTERS

1. Upon receipt of warrant transmittal — warrant, bond forms, and other documents, the Clerk of Court shall enter the information (Ex: Defendant information, Bondsman and bond information, warrant information, etc.) into the Statewide Case Management System, to be available for viewing and sharing with Prosecutors Case Management System (PCMS) and all authorized users.

2. The Clerk of Court or her/his designee shall attend and provide appropriate staffing for all scheduled General Sessions proceedings.

3. The Clerk of Court shall enter all information daily relating to the disposition, status change (bench warrants, bond changes, etc.) of each case into the Statewide Case Management System, to be available for viewing and sharing with Prosecutors Case Management System (PCMS) and all authorized users.

BOND HEARINGS

1. The Magistrate or Municipal Judge shall serve the defendant with a Notice of Mandatory Court Appearances at the time of the bond hearing. The defendant's attendance at the Initial Appearance Date and all other appearances shall be made a condition of the defendant's bond. The date of the Initial Appearance shall be assigned in accordance with the schedule prepared by the Solicitor's Office.

2. During the course of the bond hearing, the Magistrates or Municipal Judge shall inform the defendant in writing and orally of his/her right to a Preliminary Hearing and provide the defendant with the SCCA/512 (Rev. 9/2006) form to request the preliminary hearing.

3. At the bond hearing, all General Sessions defendants shall complete a DEFENSE OF INDIGENTS ACT FORM 1 (Rev. 9/2006). Defendants will be notified that within 48 hours of release from jail they must pay a non-refundable \$40.00 fee to the Clerk of Court and schedule an appointment with the Public Defender's office for screening or retain private counsel, which representation, either public or private, prior to the Initial Appearance, shall be a condition of bond.

4. The Public Defender will schedule screening within one week of request utilizing DEFENSE OF INDIGENT ACT FORM 2 (SCCA DIA Form 2, 7/2007) to determine if defendant qualifies for appointment of counsel.

5. The Clerk of Court shall forward weekly a list of all defendants who paid the screening fee to the Public Defender and the Solicitor's office (occlerkinfo@solli10th.com). The Public Defender's office shall notify in writing or email to (ocpublicdefenderinfo@solli10th.com) their representation of new clients to the Clerk of Court and Solicitor.

6. The Public Defender will meet with all incarcerated defendants within three (3) working days of the defendant's arrest. The Public Defender will remain the attorney of record on all incarcerated defendants unless notification is received that private counsel has been retained.

7. Magistrates and Municipal Judges shall transmit warrants to the Clerk of Court within fifteen (15) days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedures.

8. Magistrates and Municipal Judges shall give defendant a list of standing Special Conditions of General Sessions Bonds for Oconee County (Attachment 1) and transmit signed copy to Clerk of Court for filing and forwarding to Solicitor's office.

9. Magistrates and Municipal Judges shall complete such forms as required by the S.C. Court Administration to include either Bail Bond Form 1 (SCCA 510, Rev. 9/2006) or Bail Bond 2 (SCCA 511, Rev. 9/2006).

PRELIMINARY HEARINGS

1. Upon receipt of a timely request, magistrate courts shall schedule a preliminary hearing pursuant to S.C. Code Ann. §17-23-150 (2003). The Magistrate shall coordinate with all arresting agencies the procedures necessary to ensure proper notification of officers, victims, defense attorneys, and the Solicitor's office for all hearing dates, cancellations, and waivers.

2. Defense attorneys must notify the magistrate court coordinator of any requests for continuances within 5 working days of the scheduled hearing. If the defense attorney fails to do so, the hearing will not be rescheduled and the sitting magistrate at the scheduled hearing shall waive the hearing.

3. If a case is indicted before a preliminary hearing is held, the hearing will be cancelled and the magistrate court coordinator will notify all law enforcement and the defense attorney. The Solicitor's office will notify all victims of the cancellation.

DISCOVERY

1. All law enforcement agencies shall provide copies of General Sessions case reports including but not limited to: incident reports, all witness statements, two copies of video and audio tapes, 911 recordings, two cds of photographs, diagrams, dates, times, evidence sheets, type of evidence and date transmitted to SLED or other labs for processing, and any other material related to the case. (Information can be submitted on the most efficient media format -- Ex: cd, video tape, email (occasejacketinfo@sol110th.com), or print.

2. This information shall be forwarded to the Solicitor's Office within twenty-one (21) days of the arrest of a defendant. If the file is incomplete at that time, law enforcement shall provide all parts of the report available along with a listing of the items for which law enforcement is waiting.

3. All discovery requests on cases prosecuted by the Solicitor's Office must be submitted directly to the Solicitor's Office by defense counsel and not to the arresting agency. Law Enforcement agencies are prohibited from disseminating discovery on all cases prosecuted by the Solicitor's Office.

4. The Solicitor's Office shall prepare defense discovery packets on all General Session cases and provide them based on the SC Criminal Rules of Procedure.

INITIAL APPEARANCE DATE

1. The Initial Appearance will be held at the Solicitor's Office on the 1st Floor of the Oconee County Courthouse. Defendants will be notified by the bonding magistrate in writing of their Initial Appearance date. The Solicitor's office shall furnish Magistrates and city recorders with the Initial Appearance schedule. Initial Appearance dates shall be held within 45 days of the filing date of the warrants.

2. The Clerk of Court is authorized to issue bench warrants subject to South Carolina law for those defendants who fail to appear for their Initial Appearance Date when not excused by the Solicitor's Office.

3. The issues of legal representation that have not been addressed before the Initial Appearance date will be conducted at this time.

4. When a defendant has retained private counsel, the private attorney must file a general notice of representation with the Clerk of Court and forward a copy to the Solicitor. Upon receipt of notification, any previously appointed public defender is relieved of representation.

5. Defendants, who have failed to apply for a Public Defender nor retained private counsel, as required at their Bond Hearing, are subject to bond revocation on the Initial Appearance date.

6. At the Initial Appearance, the case shall be assigned to one of three dispositional tracks. These tracks will be 180, 270 and 365 days (see attached Form 2). Assignment of cases to a track is the responsibility of the Solicitor's Office, and is done at the sole discretion of the Solicitor's Office. It is the objective of all parties to have every case concluded on or before its disposition date. Should the disposition date fall on a non-court week, it shall be extended until the end of the next term of court. Homicide, criminal sexual conduct with minors and other criminal sexual conduct cases and such other cases deemed by the Solicitor to be especially time consuming are an exception to this system and will not be assigned a disposition date.

7. The length of the track in which a case is placed determines the deadline by which a case must be disposed. The date is calculated from the Initial Appearance Date.

CLIENT CONFERENCES

1. All counsel must meet with their clients in a timely manner to discuss a potential plea and other matters so counsel can respond to any plea offers from the State and communicate any requests for a jury trial.

2. The Public Defender shall schedule client conferences with appointed defendants within twenty-one days of notification of appointment.

3. During the client conference, the public defender shall assess any conflicts of interest and resolve them at that time. If a conflict arises, the Public Defender will notify the Clerk of Court who will assign the next attorney on the conflict list and notify the defendant, assigned attorney, Public Defender, and the Solicitor.

4. Issues of competency shall also be addressed during the client conference. When appropriate, defense counsel shall move for a competency evaluation and the State may consent. In the alternative, the State and Defense may schedule a hearing to determine if an evaluation is necessary.

5. The State and defense shall have ongoing negotiations concerning pleas and scheduling of pleas so as to move cases timely, with a priority on disposing of jail cases.

6. Solicitor's office staff will be available, by phone or email, to answer defense counsel questions that arise at conferences.

INDICTMENTS

1. All General Sessions cases should be presented to the Grand Jury in accordance with Rule 3 of the S.C. Rules of Criminal Procedure. This Court recognizes that certain cases, due to their nature, may not be timely presented and will grant extensions allowed under Rule 3 (d).

2. In accordance with South Carolina law, no preliminary hearing will be held on cases that have been indicted.

DOCKET APPEARANCE DATE

1. The Docket Appearance shall occur in the county courthouse no later than 90 days after the Initial Appearance date. The defendant and counsel shall appear and engage in negotiations with the Solicitor's office. If a plea agreement is reached, the parties shall prepare necessary paperwork, obtain necessary signatures, and schedule a plea date.

2. On cases where no agreement can be reached, the cases will be scheduled for trial by the Solicitor on the next available term of General Sessions Court.

GENERAL SESSIONS COURT PRACTICE

1. A trial docket shall be prepared by the Solicitor for each term of General Sessions Court. The dockets shall be prepared and published via website ten (10) business days prior to the term of court. Dockets shall be published on the 10th Circuit Solicitor's Office website www.ocsoli10th.com with a minimum of three (3) and a maximum of fifteen (15) actual trials being set for each trial judge..

2. The Solicitor's Office shall set the order of trials and the trials shall be called in the order published subject to the general supervision of the trial court.

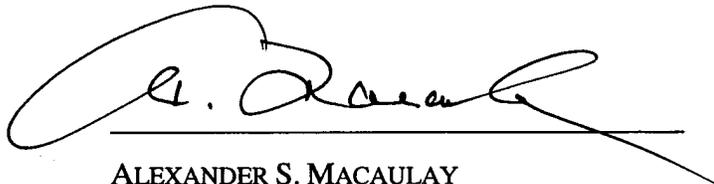
3. Bond hearings and Motions shall be scheduled through the Solicitor's Office and set for the next available term of court.

4. All motions for continuance, orders of protections, etc. must be submitted to the presiding Judge and Solicitor within seven (7) days of the court term. The Court will endeavor to hear and rule on these motions in a timely manner so as to cause as little disruption to the court schedule as possible.

5. Nothing in this order shall be construed by this Court or any other as a reason for a case to be judicially dismissed. This order is intended to be strictly administrative in nature with the sole intent of moving criminal cases through the system as quickly as possible.

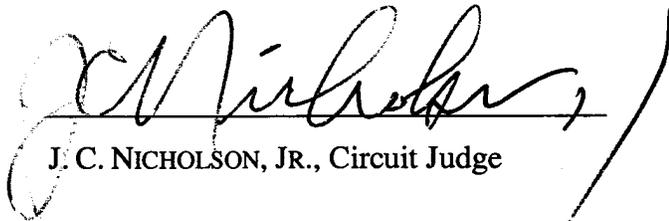
6. Conflicts arising from the implementation or interpretation of this order shall be resolved through a meeting with the parties involved and the Chief Administrative Judge.

AND, IT IS SO ORDERED.

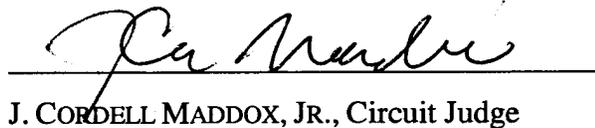


ALEXANDER S. MACAULAY

Chief Judge for Administrative Purposes



J. C. NICHOLSON, JR., Circuit Judge



J. CORDELL MADDOX, JR., Circuit Judge

FILED O'CONNOR, SC
SALLIE C. SMITH
CLERK OF COURT
2008 MAR 14 A 3:29

February 22, 2008
Walhalla, South Carolina

**SPECIAL CONDITIONS
GENERAL SESSIONS BONDS**

*** DEFENDANTS WHO FAIL TO COMPLY WITH SPECIAL CONDITIONS ***

***** WILL HAVE A BENCH WARRANT ISSUED FOR THEIR ARREST *****

1. All General Sessions Defendants shall make application for a Public Defender at the Clerk of Court Office on the 1st floor of the Oconee County Courthouse by paying a \$40.00 (forty dollar) non-refundable fee within 48 hours of release from jail or retain private counsel within the said 48 hours.
2. Defendant shall within 24 hours of paying application fee at Clerk of Court's office contact Public Defender's office at 864.260.4048 and schedule an appointment for screening.
3. Defendants who are incarcerated will be contacted by the Public Defender's office in jail within 3 working days of their arrest. These defendants will be represented by the Public Defender unless and until notified in writing that private counsel has been retained.
4. Defendants that choose to obtain private counsel shall notify the Solicitor's Office by furnishing a letter of representation issued by their attorney within 96 hours of their release from jail.
5. Defendant will be notified of initial appearance date by the Solicitor's office within 45 days from the filing date of the case.
6. Defendant is required to immediately notify the Solicitor's office of any changes in address, phone numbers, etc. or a bench warrant may be issued for your arrest.
7. Defendants must comply with all other conditions required by bonding magistrate.

Defendant

Bonding Magistrate

Date

Attachment 1

TRACK ASSIGNMENTS
and
BREAKDOWN OF TRACKS:

180 Days:	Misdemeanors & F felonies
270 Days:	Felonies C, D, & E
365 Days:	Felonies A & B

EXEMPTIONS:

Murder and all Criminal Sexual Conduct cases and all cases deemed by the Solicitor as complex and time-consuming in nature are exempt from the above tracks.

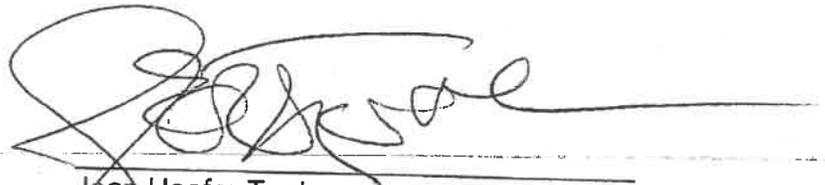
The Supreme Court of South Carolina

ORDER

The Honorable R. Knox McMahon, Chief Judge for Administrative Purposes for the Eleventh Judicial Circuit (Criminal) for the period of July 1, 2007 through January 5, 2008 submitted for approval the attached Administrative Order establishing certain local rules for the processing of criminal cases in Lexington County. Therefore,

Pursuant to the provisions of S.C. CONST. Art. V, §4, the Administrative Order is hereby approved for use in Lexington County.

IT IS SO ORDERED.



Jean Hofer Toal
Chief Justice

December 3, 2007
Columbia, South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
)
)
_____)

IN THE COURT OF GENERAL SESSIONS

EXPEDITED CASE MANAGEMENT
SYSTEM ADMINISTRATIVE ORDER

Pursuant to the authority vested in this Court by the attached Administrative Order issued by the Honorable South Carolina Supreme Court Chief Justice Jean Toal, the following Expedited Case Management System Administrative Order is hereby adopted by this Court for the General Sessions Court of Lexington County.

This Court hereby declares and orders that all General Sessions cases arising or pending on January 1, 2008, shall be processed through the Court under the principles of the Expedited Case Management System. In accordance with the requirements of this system, the following rules are hereby adopted.

The Court hereby directs that in each General Sessions case arising before the various Magistrates and Municipal Courts of this County, the following shall be done:

I. ARREST WARRANTS & CDR CODES

- A. Warrants shall be filled out completely and correctly. The section in the upper left hand corner that identifies the defendant shall be completed at the time the warrant is obtained from the Magistrate or Municipal Judge. This information includes, but is not limited to, defendant's correct full name, complete address, social security number, date of birth, sex, race, height, weight and any other information that is applicable. This information shall be added to the original warrant at the bond hearing should the information be unavailable at the time of the issuance of the warrant. Incomplete warrants will be returned by the Solicitor's office to the issuing agency.
- B. Each citizen's warrant shall be accompanied by a detailed incident report and investigation from a law enforcement agency. This incident report shall be presented to the Magistrate or Municipal Judge prior to the issuance of the warrant. Said incident report shall be attached to the warrant and transmitted to the Clerk of Court's office. The Clerk of Court shall transmit the warrant and the incident report to the Solicitor's office pursuant to Rule 3 (b) of the South Carolina Rules of Criminal Procedure. An arrest warrant shall not be issued unless there has been an investigation by a law enforcement agency.

- C. Each charge has a CDR offense code assigned by the South Carolina Court Administration and provided to the Magistrate and the Municipal Judges. Each warrant shall reflect the current CDR offense code number from Court Administration on the face of the warrant in the space provided.

II. BOND HEARING

- A. The Magistrate or Municipal Judge shall serve the defendant with a Mandatory Court Appearance and Appointed or Retained Attorney Form (see attached Form 1) at the time of the bond hearing. The defendant's attendance at the Initial Appearance shall be made a condition of the defendant's bond by noting such in Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form. The date of the Initial Appearance shall be assigned in accordance with the schedule prepared and supplied by the Solicitor's Office.
- B. The bond paperwork shall be properly completed by the Judge setting the bond, including, but not limited to, the date and time of Initial Appearance, complete address and telephone number of the defendant, social security number, and the address and telephone number of the bondsman. Should a defendant have a case in General Sessions Court and any lower court simultaneously, then the bond paperwork shall reflect the appearances for both courts, along with the date and time, on the face of bond.
- C. The following restrictions shall appear on the bond paperwork:
1. The defendant shall appear for General Sessions Court Initial Appearance and all other Court dates.
 2. **A further condition of bond is:** if the Public Defender is appointed, each defendant shall appear at the Clerk of Court's office to pay the \$40 application fee for the Public Defender within 15 days from the date of release.
 3. Such "other conditions" shall appear on the bond as is appropriate.
 4. The Defendant shall immediately notify the Solicitor's Office, in writing, of any change in address and/or telephone numbers, or change of attorneys.
- D. If a defendant is given a personal recognizance bond, there must be a complete address, at least two (2) contact telephone numbers, and one

- (1) alternate address and telephone number of the nearest relative listed on the bond paperwork.
- E. During the course of the bond hearing, the Magistrate or Municipal Judge shall inform the defendant, in writing and orally, of his or her right to a Preliminary Hearing as required by Rule 2 (a) of the South Carolina Rules of Criminal Procedure.
- F. All General Sessions defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for appointment of counsel. Should the Magistrate or Municipal Judge determine that the defendant qualifies for court appointed counsel, the Judge shall appoint the Lexington County Public Defender's Office to represent the defendant. The Magistrate's Court or the Municipal Court shall not accept the application fee from any defendant, but shall advise defendants that as a condition of the bond they shall pay such fee to the Clerk of Court within fifteen (15) days from the date of release. Any fees not paid at the time of the General Sessions Court appearance may be addressed by the presiding General Sessions Judge.
- G. For all defendants not qualified for appointed attorneys, the judge shall inform the defendant that failure to obtain an attorney and appear in court with the attorney at the Initial Appearance may result in the bond being revoked, being held in contempt of court, fines and/or jail.
- H. Copies of the Mandatory Appearance Form, arrest warrant, bond and incident report shall be transmitted to the Solicitor's Office within two (2) days after the bond hearing. If the Public Defender is appointed, copies shall also be transmitted to the Public Defender's Office.
- I. Magistrate and Municipal Judges shall transmit warrants, indigent screening forms, Mandatory Court Appearance Forms, incident reports, bond paperwork, and all other documents to the Clerk of Court as soon as possible, but no later than 15 days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure.
- J. The Clerk of Court shall forward a copy of the arrest warrant, bond and other paperwork received from Magistrate and Municipal Judges to the Solicitor's Office within two (2) business days from the date of receipt, as required by Rule 3(b) of the South Carolina Rules of Criminal Procedure.
- K. Magistrate and Municipal Judges shall set or deny bonds in all cases with a sentence of less than life.
- L. For cases with a life sentence, defendants shall appear before Magistrate and Municipal Judges who shall inform the defendant of the charges,

screen the defendant to determine if the defendant qualifies for appointment of counsel, advise the defendant of the right to apply for a bond hearing before a Circuit Court Judge and complete all of the procedures as in cases with less than a life sentence.

The Court hereby directs that for each General Sessions Court case, all law enforcement agencies shall perform the following:

III. LAW ENFORCEMENT AGENCIES

- A. All law enforcement agencies shall deliver COMPLETE copies of the investigative case reports, together with all witness statements, video and audio tapes, photographs and diagrams, RAP sheets, written statements made by the defendant, a full report of all oral statements made by the defendant, the Co-Defendant & Victim Information Sheet (See attached Form 2), and all other materials included in the law enforcement case file, to the Solicitor's Office within fifteen (15) days of the arrest of the defendant. If the case file remains incomplete fifteen (15) days after the arrest, the chief investigating officer shall deliver to the Solicitor's Office all supplemental reports, additional statements, SLED Reports and all other materials completed or received by the investigating officers within three (3) days of completion or receipt. The law enforcement agency shall deliver its COMPLETE investigative file to the Solicitor's Office. If, by the time of the Second Appearance, all investigative materials have not been provided by the arresting agency, the General Sessions Judge may summons the Law Enforcement Agency to Court to explain why the investigation remains incomplete and all investigative materials were not delivered to the Solicitor's Office.
- B. The Solicitor's office may return any General Sessions warrant to the investigating agency for further investigation within ninety (90) days of receipt of the arrest warrant from the Clerk of Court. (See attached Form 3). Upon return, the Solicitor's office shall notify the Clerk of Court for Lexington County of all returned warrants and such cases shall be removed from the State's pending case list and classified separately, until the investigation is completed and the case is accepted for prosecution by the Solicitor's office. Upon request of the Solicitor's office, all warrants not accepted for prosecution within forty five (45) days of the date of return shall be administratively dismissed without prejudice by the Clerk of Court for Lexington County. Nothing in this section shall be construed to deprive any victim of the rights granted under Article 1, Section 24 of the South Carolina Constitution. The Solicitor's office must notify the Clerk of Court of a completed investigation and acceptance of prosecution by the Solicitor's office.

- C. All law enforcement agencies with outstanding un-served arrest warrants for any defendant incarcerated in the South Carolina Department of Corrections, any county jail, or any other jail, facility or prison in South Carolina shall serve the arrest warrants immediately.
- D. After the bond hearing, or any other appearance by a defendant before a Magistrate or Municipal Judge, the arresting law enforcement agency shall deliver a copy of the arrest warrant, the Victim Information Form, and the Co-Defendant & Victim Information Sheet (See attached Form 2) to the Solicitor's Office within two (2) days. The Victim Form shall contain the correct mailing address for each victim, and all telephone numbers to contact the victim(s).
- E. On the first of each month, the Lexington County Detention Center shall deliver to the General Sessions Chief Administrative Judge and the Solicitor a written list of all incarcerated defendants/inmates with pending General Sessions Court crimes. The list shall include: (1) only those defendants/inmates with General Sessions Court crimes; (2) the charges and arrest warrant numbers pending against each defendant/inmate; and, (3) the date the defendant/ inmate was last committed to the Lexington County Detention Center.

IV. DISCOVERY

- A. For defense attorneys of record who have filed a letter of representation along with a discovery request with the Solicitor's Office, the Solicitor's Office shall prepare defense discovery packets for those General Sessions cases. The discovery packets will be provided, or made available, to defense counsel of record at the Initial Appearance. If a defendant desires to retain new counsel after discovery has been provided to the original attorney of record, the new counsel must obtain leave of the Court to represent the defendant, and new counsel shall be responsible for obtaining the previously provided discovery materials from the defendant or prior counsel.
- B. At the Initial Appearance, the Solicitor's Office shall tender a plea offer, if any, to defense counsel who has filed a letter of representation along with the appropriate discovery requests with the Solicitor's Office.

V. INITIAL APPEARANCE

- A. The defendant and the defendant's attorney shall both appear in Court at the Initial Appearance.
- B. The Initial Appearance shall be held in a Courtroom at the MHW Lexington County Judicial Center as set forth in a schedule prepared and supplied by the Solicitor's Office. Roll call shall be conducted as necessary to ensure attendance. The Clerk shall, at the request of the Solicitor, issue bench warrants for those defendants who fail to appear or who have not been excused, in writing prior to the hearing by the Chief Administrative Judge for General Sessions Court.
- C. There shall be no continuances of Initial Appearances except by written Order of the Chief Administrative Judge for General Sessions Court.
- D. When available, the presiding Circuit Court Judge may hold status conferences during this appearance to assist the parties in negotiating agreements.
- E. The issue of legal representation shall be addressed at the Initial Appearance.
 - 1. Defendants who do not qualify for appointed attorneys, appear without legal representation, and desire an attorney may have their bond revoked, held in contempt of court, fined and/or incarcerated.
 - 2. Any defendant who does not make bond prior to the date of Initial Appearance shall be presumed, in the absence of a letter of representation, to be represented by the Public Defender's Office. If a defendant qualifies for a Public Defender, but has retained private counsel prior to the Initial Appearance date, then the private attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor. The Public Defender shall be relieved of representation at that time and shall turn over all discovery materials to the new attorney of record.
 - 3. If a defendant did not qualify for a Public Defender, and private counsel has been retained, a letter of representation must be filed with the Solicitor's Office on or before the Initial Appearance date.
 - 4. Defendants who appear without legal representation and desire to proceed pro-se shall be formally advised, on the record, of their right to counsel, the dangers of self representation, and that their trial date will not be continued because of last minute representation. These defendants must appear and remain in court

until dismissed for each term of Lexington County General Sessions Court and other Scheduled Court Appearances, as directed by the Solicitor's Office or the Judge until their case is disposed.

5. In all cases where the defendant is represented by the Public Defender, the Public Defender shall assess the case for possible conflicts of interest and, if necessary, shall file an Affidavit of conflict with Clerk of Court at or prior to the Initial Appearance. The Clerk shall, upon receiving an Order Relieving Counsel, appoint the next attorney from the conflict list and advise, in writing, the defendant and the Solicitor's Office the identity of the new defense attorney. The newly appointed counsel shall also be notified by the Clerk of Court's office. The newly appointed attorney is responsible for obtaining discovery materials from the Public Defender's Office.
- F. Issues of competency shall be addressed at the Initial Appearance. When appropriate, defense counsel shall move for a competency evaluation. A hearing may be held or scheduled for the next term of General Sessions Court to determine if a competency evaluation is necessary.
- G. If it is feasible to do so at the Initial Appearance, the defendant and the State shall enter into negotiations concerning pleas and scheduling. All offers tendered at the Initial Appearance shall be accepted or rejected by the Second Appearance date. If the plea is not accepted or is rejected at the Second Appearance, all plea offers from the State shall be deemed null and void and thereafter given no consideration.
- H. In order to be prepared to respond to the State's plea offer in a timely manner, all Public Defenders and conflict Court-appointed counsel shall meet in person with their clients prior to the Second Appearance for the purpose of discussing the State's plea offer and all other matters relating to the defendant's case. It is suggested that the Public Defender use the Initial Appearance to schedule appointments for this purpose.
- I. The Public Defenders, court-appointed counsel, and retained counsel shall meet with their incarcerated defendant(s) prior to each Appearance date or General Sessions term of Court.
- J. Defendants and their attorneys shall receive a written notice of a Second Appearance date. (See attached Form 4). The defendants and their attorneys shall both appear on the Second Appearance date. The defendant shall be informed that should he not appear on the Second Appearance date, the Clerk of Court shall, at the request of the Solicitor, issue a bench warrant for the defendant's arrest.

- K. Any other issues will be addressed at the Initial Appearance that may affect the timely disposition of the case.

VI. INDICTMENTS

- A. Within ninety (90) days after receipt of an arrest warrant from the Clerk of Court, the Solicitor's Office shall take action on the warrant in accordance with Rule 3 of the South Carolina Rules of Criminal Procedure. This Court recognizes that due to their nature or complexity certain cases may not be prepared or presented for submission to the Grand Jury within ninety (90) days and grants an extension in those instances.
- B. In accordance with South Carolina law, no preliminary hearings will be held by the Magistrate or Municipal Court for cases previously indicted by the Grand Jury, unless so ordered by a Circuit Court Judge.

VII. SECOND APPEARANCE

- A. There shall be no continuance of the Second Appearance. All defendants and defense attorneys shall both appear in Court at the Second Appearance unless excused, prior to the hearing in writing, by the Chief Administrative Judge of General Sessions Court for good cause shown.
- B. The Second Appearance shall be held in the Courtroom designated by the Chief Administrative Judge for Lexington County General Sessions in accordance with the schedule prepared and supplied by the Solicitor's Office. Roll call will be conducted as necessary to ensure attendance. At the request of the Solicitor, the Clerk shall issue bench warrants for those defendants who fail to appear and who have not been excused by the Chief Administrative Judge of General Sessions Court.
- C. All parties shall engage in final plea negotiations. In those cases where a plea agreement is reached, the parties shall prepare the necessary paperwork, obtain the necessary signatures, and set the date for the plea in consideration of the parties' schedules, as well as the victim. (See attached Form 5)
- D. Plea offers not accepted or rejected shall expire at the end of the Second Appearance date, shall be null and void, and thereafter given no consideration.

- E. Defendants who remain unrepresented on their Second Appearance date and desire an attorney shall be present in Court throughout the day. These defendants shall appear before the presiding judge to show cause why their bond should not be revoked, why they should not be held in contempt of court, fined, and/or incarcerated.
- F. At the Second Appearance, the case shall be assigned to one of three dispositional tracks. These tracks will be 90, 180 and 270 days. (See attached Form 5) Assignment of cases to a track is the responsibility of the Solicitor's office, and is done at the sole discretion of the Solicitor's office. It is the objective of all parties to have every case concluded on or before its disposition date. Should the disposition date fall on a non-court week, it shall be extended until the end of the next term of court. Homicide, criminal sexual conduct w/minors, criminal sexual conduct cases, and such other major felony cases deemed by the Solicitor to be especially time consuming are an exception to this system and may not be assigned a disposition date at the Solicitor's discretion.
- G. The length of the track in which a case is placed determines the deadline by which a case must be disposed.
- H. All other issues may be addressed that may affect the timely disposition of the case.

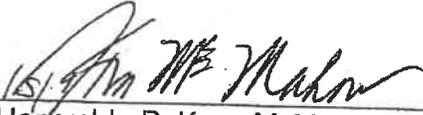
VIII. GENERAL SESSIONS COURT PRACTICE

- A. In accordance with Code §1-7-330, a trial roster shall be prepared for each term of General Sessions Court. The rosters shall be prepared and published at least seven (7) days prior to the term of Court and shall be posted with the Clerk of Court, provided to the Chief Administrative Judge for General Sessions Court and to the attorneys of record on the trial roster.
- B. The Solicitor's Office shall set the order of trials.
- C. All Motions for Bonds and Bond Reductions shall be made in writing and filed in the Clerk of Court's office and served on the Solicitor's office no later than one (1) week prior to the beginning of the General Sessions court term.
- D. All motions for continuance and requests for orders of protection shall be submitted to the presiding Judge and Solicitor's Office no later than seven (7) days prior to the commencement of the Court term. The Court will endeavor to hear and rule on the motions for continuance and requests for orders of protection before the commencement of the term of Court.

- E. Nothing in this order shall be construed by this Court or any other Court as a reason for a case to be judicially dismissed. This Order is intended to be strictly administrative in nature.

This Order has been reviewed by the Honorable William P. Keesley, Resident Judge of the Eleventh Judicial Circuit, and the Honorable James W. Johnson Jr., Chief Administrative Judge for the Eleventh Judicial Circuit Court of General Sessions for 2008, who will also enforce this Order.

IT IS SO ORDERED!


Honorable R. Knox McMahon
Chief Administrative Judge for the
Eleventh Judicial Circuit Court of
General Sessions

Lexington, South Carolina
November 9, 2007

ATTACHMENTS:

- Form 1 - Mandatory Court Appearance and Appointed or Retained Attorney
Form 2 - Co-Defendant & Victim Information Sheet
Form 3 - Warrant Returned for Investigation
Form 4 - Record of First Appearance and Notice of Second Appearance
Form 5 - Record of Second Appearance and Setting of Date for Trial/Plea

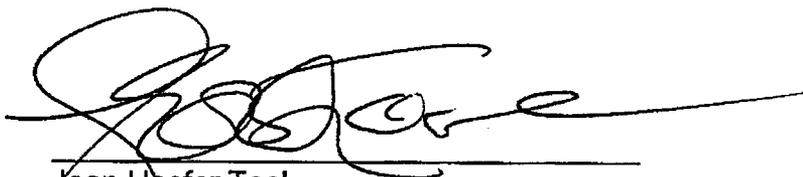
The Eleventh Judicial Circuit also has case management orders in place for Edgefield, McCormick, and Saluda Counties. While copies were not available, Solicitor Hubbard advises that they identical or almost identical to the “Expedited Case Management System Administrative Order” in Lexington County.

The Supreme Court of South Carolina

ORDER

The Honorable Michael G. Nettles, Chief Judge for Administrative Purposes for the Twelfth Judicial Circuit for the period of July 6, 2008 through January 3, 2009 has submitted for approval the attached administrative orders amending certain local rules for the processing of criminal cases in Florence County previously approved by Order dated September 10, 2008 and in Marion County previously approved by Order dated September 14, 2008. Now, therefore,

Pursuant to the provisions of S.C. CONST. Art. V, §4, the Administrative Orders are hereby approved for use in Florence and Marion Counties.



Jean Hofer Toal
Chief Justice

November 10, 2008
Columbia, South Carolina

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
)
 COUNTY OF FLORENCE) COOPERATIVE CASE MANAGEMENT
)
) ADMINISTRATIVE ORDER

Pursuant to the authority vested in this Court by the attached Administrative Order (Attachment A") signed by the Honorable Chief Justice Jean Toal of the South Carolina Supreme Court, the following Administrative Order is hereby adopted by this Court of the County of Florence.

This Court hereby declares and orders that all General Sessions cases arising after October 15, 2007 will be processed through the Court under the principles of the system known as Cooperative Case Management. In accordance with the requirements of this system the following rules are hereby adopted.

The Court hereby directs that in each General Sessions case arising before the various Magistrate's and Municipal Courts of the County, the following will be done:

BOND HEARING

1. Magistrates and Municipal Judges are required to transmit warrants to the Clerk of Court within 15 days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure and the Clerk of Court shall transmit a copy of all the warrants to the Solicitor within 2 business days from the date of receipt pursuant to Rule 3(b) of South Carolina Rules of Criminal Procedure.
2. At the time of their bond hearing all defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for appointment of counsel. Such screening will be done in a manner as prescribed by the Clerk of Court with all appropriate forms completed and transmitted to the Clerk of Court along with the warrants and bond paperwork.
3. The defendant shall be served with Notice of Initial Appearance and Docket Appearance at the time of the bond hearing. The Defendant's attendance at the Initial Appearance and Docket Appearance shall be made a condition of the defendant's bond by noting such in Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form. At the time of the setting of the Initial Appearance date the Magistrate or Municipal Judge shall inform the defendant in writing and orally of his right to a Preliminary Hearing. Should a hearing be desired, it will be scheduled at the Initial Appearance or within 10 days thereafter.

The date of the Initial Appearance shall be assigned in accordance with the schedule prepared and disseminated by the Solicitor's Office.

4. Summary Court Judges shall make a determination on bond on all charges Except those charges precluded in S.C. Code of Laws S 22-5-510 (A)

II. INITIAL APPEARANCE

1. The Initial Appearance will be held at the City County Complex 11th Floor Courtroom, or a designated area. Roll call will be conducted as necessary to ensure attendance. The Clerk is authorized to issue a bench warrant for those defendants who fail to appear and have not been excused by the Solicitor.
2. There shall be no continuances of Initial Appearances and the Initial Appearance is mandatory unless an Initial Appearance Attendance Waiver form has been executed by counsel for both the State and the Defense, approved by the judge and filed with the Clerk of Court. Execution and filing of the Initial Appearance Waiver form shall constitute satisfaction of the Initial Appearance condition of the Defendant's bond. A copy of the Initial Appearance Waiver form is attached hereto and incorporated herein by reference as Attachment B.
3. A preliminary hearing, if desired, must be requested in writing on, or within 5 days after, the initial appearance date.
4. The issue of legal representation shall be addressed at the Initial Appearance.
 - a. If a defendant qualifies for Court appointed counsel and has not retained private counsel the Public Defender shall continue to represent the defendant.
 - b. If a defendant qualifies for a Public Defender but retained private counsel prior to the Initial Appearance date then that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor. The Public Defender shall be relieved of representation at that time.
 - c. If a defendant did not qualify for a Public Defender, and a private attorney has been retained, then a letter of representation must be filed with the Clerk of Court and served on the Solicitor prior to the initial appearance.

- d. Unrepresented defendants may apply for a Public Defender at the Initial Appearance. Applications will be taken by the Clerk and if approved, will be assigned that day.
 - e. Defendants who remain unrepresented after the Initial Appearance must appear on their Docket Appearance date and remain in Court throughout that term until excused by the Court. These defendants must appear for each successive term of Court as required until their case is disposed.
5. In all cases where the defendant is represented by the Public Defender the Public Defender shall assess the case at the Initial Appearance for possible conflicts of interest and resolve those conflicts readily identifiable on that date. The Clerk shall, upon Affidavit of Conflict, appoint the next attorney from the conflict list and advise the defendant as to the identity of their attorney. The newly appointed counsel shall also be notified on that date and a preliminary hearing automatically scheduled for the defendant.
 6. Issues of competency shall be addressed at the Initial Appearance. When appropriate, defense counsel shall move for a competency evaluation, and the State may consent to a competency evaluation of the subject defendant at the Initial Appearance. In the alternative, the State and defense may schedule a hearing to determine if a competency evaluation is necessary.
 7. In all cases where it is feasible to do so, the defendant and the State shall enter into negotiations concerning pleas and dispositional tracking. All offers tendered at the Initial Appearance must be accepted or rejected by the defendant's Docket Appearance date.
 8. By the Initial Appearance the Solicitor shall provide discovery in all cases where the appropriate motions have been filed with the Clerk of Court and served on the Solicitor.
 9. DISCOVERY is ordered to be handled pursuant to the following guidelines.
 - A. All law enforcement agencies shall provide copies of General Sessions case reports, together with all witness statements, video and audio tapes, photographs and diagrams, and any other material included in the law enforcement case file, to the Solicitor's Office within twenty-one (21) days of the arrest of the defendant. If the case file remains incomplete thirty (30) days after arrest, law enforcement shall provide the Solicitor's Office that portion of the report that is complete, together with a listing of those items for which law enforcement is

waiting. Failure to do so may necessitate an appearance before the Administrative Judge to explain non-compliance.

- B. The Solicitor's Office shall prepare defense discovery packets on all General Sessions cases. Defense discovery packets shall be provided on or before, the Initial Appearance date to all attorneys who have filed a general letter of representation along with the appropriate discovery requests with the Solicitor's Office.
- C. The Solicitor's Office shall prepare a written plea offer for all General Sessions cases. Plea offers shall be communicated on the Initial Appearance Date to all attorneys who have filed a general letter of representation with the Solicitor's Office.

- 10. In order to be prepared to respond to the State's plea offer in a timely manner, all counsel should meet in person with their clients prior to the Docket Appearance date for the purpose of discussing the State's plea offer and all other matters relating to the defendant's case
- 11. At the Initial Appearance the case, will be assigned to one of three dispositional tracks. These tracks will be 180, 270, and 365 days long, respectively. As a general rule all misdemeanors and class F felonies shall be on the 180 day track, all class C, D, and E felonies on the 270 day track and all class A and B felonies on the 365 day track. Assignment of cases to a track will be the responsibility of the Solicitor's Office. The tracking decision of the Solicitor is subject to review by the Circuit Court upon motion of the defendant filed prior to the defendant's Docket Appearance date, and at other times for good cause shown by motion in open court. Homicide, CSC, and CSC with minor cases will not fall within the guidelines of any track. The length of the track in which a case is placed determines the deadline by which a case must be moved. The disposition date is calculated from the Initial Appearance date or Docket Appearance date, whichever is earlier. Should the deadline fall in a non-court week, it will be extended until the end of the next term of Court. It is the objective of all parties to have every case concluded on or before its disposition date.
- 12. A status conference shall automatically be scheduled on a date at the halfway point of the assigned track for each case with the assigned or retained attorney and solicitor and presiding judge. This status conference shall not be waived unless the administrative judge finds that the case is on track for disposition and the status conference is unnecessary.

III. PRELIMINARY HEARINGS

1. Preliminary hearings shall be held at a sight assigned by the Chief Magistrate. The Presiding magistrate shall be appointed by the Chief Magistrate.
2. The Solicitor's Office shall represent the State at all centralized preliminary hearings for A,B, and C class felonies. Other preliminary hearings shall be conducted pursuant to previous guidelines with the Summary Court notifying all victims and witnesses of the date of said hearings.
3. Continuance of preliminary hearings may not be granted for any reason unless good cause is shown to the Chief Administrative Judge for General Sessions.
4. The defendant or their attorney must be present to be given a preliminary hearing. If one has been requested in a case involving an individual affiant then the failure of the affiant to appear and give testimony will result in the dismissal of the warrant if the defendant and his attorney are present and make the appropriate motion.
5. This section of the administrative order (Section III) shall remain in effect as long as law enforcement resources continue to allow the provisions contained herein to be carried out. Should it become impractical to conduct preliminary hearings in the manner outlined in this section the Solicitor may void the requirements of this section of the order by applying to one of the resident judges for a modification to this order. Such action, if approved, would only void this section of the order.

IV. INDICTMENTS

1. All General Sessions cases to be presented for indictment shall be presented to the Florence County Grand Jury within (90) days in accordance with Rule 3 of the South Carolina Rules of Criminal Procedure. This Court recognizes that due to their nature or type, certain cases may not be prepared to go to the Grand Jury within ninety days and grants an extension in those instances. All cases will be indicted prior to the Docket Appearance date.

V. DOCKET APPEARANCE

- A. The Docket Appearance will be held along with roll call in the General Sessions courtroom, or such other place so designated, at the Florence City-County Complex on Thursdays at 9:30 A.M. as set forth in the schedule prepared and supplied by the Solicitor's Office. Roll call will be conducted as necessary to ensure attendance. The Clerk of Court is authorized to issue bench warrants for those defendants who fail to appear and have not been excused by the Solicitor's Office or the Chief Administrative Judge of General Sessions Court. Defense counsel is required to be present with the defendant at the Docket Appearance.
- B. All parties shall, during this appearance, engage in final plea negotiations. In those cases where a plea agreement is reached, the parties shall prepare the necessary paperwork, obtain the necessary signatures, and schedule the plea.
- C. Plea offers shall expire at the end of the business day on the Docket Appearance date and will not be extended unless the defendant can demonstrate a material change in circumstances or some other exceptional situation .
- D. The presiding General Sessions Court Judge will hold Docket Appearance status conferences on cases that remain unresolved beginning at 9:00 A.M. on the Monday following the Docket Appearance date to assist the parties in resolving their cases. The Chief Administrative Judge for General Sessions Court shall assign a Circuit Court Judge to preside over the Docket Appearance status conferences. If the case remains unresolved at the status conference the case will be scheduled for trial before one of the presiding General Sessions judges.
- E. Defendants who remain unrepresented on their Docket Appearance Date must be present in Court throughout the following term. These defendants must appear for each successive term of Court required by their bond until their case is disposed.
- F. Cases may be resolved at any time prior to the specified guidelines

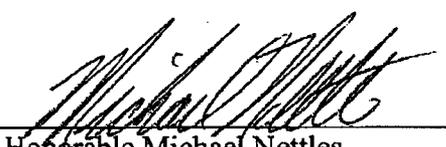
VI. **GENERAL SESSIONS COURT PRACTICE**

- A. A trial roster and roll call roster shall be prepared for each term of General Sessions Court. For consecutive terms, the rosters may cover two terms of court. The rosters shall be prepared and published at least ten (10) business days prior to the term of Court and will be posted in the Courthouse, provided to the Chief Public Defender for Florence County, to the Chief Administrative Judge for General Sessions Court, and to all private counsel listed by U.S. Mail, e-mail, facsimile and/or hand delivery. It is the responsibility of all attorneys who have clients on this docket to notify their clients that their case is scheduled for disposition.

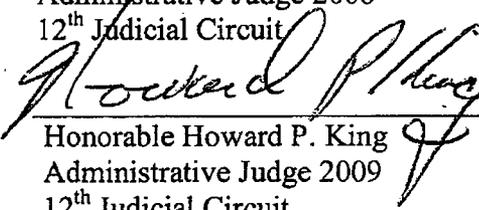
- B. The Solicitor's office shall set the order of trials, and a representative of The Solicitor's Office shall meet with the Chief Administrative Judge for General Sessions Court and a representative of the Public Defender's Office no later than the Monday morning a week before the term of court begins to review the order of trials, as well as, the Court's plea, bond, and probation revocation schedule. This may be done by teleconference at the Judge's discretion.
- C. All motions for continuance and requests for orders of protection shall be submitted to the presiding Judge and Solicitor's Office no later than seven (7) days prior to the commencement of the Court term. The Court will endeavor to hear and rule on the motions for continuance and requests for orders of protection before the commencement of the term of Court.
- D. During a term of General Sessions Court all assigned Solicitor's and Public Defenders shall be present in the designated courtroom no later than 9:15 am for the morning session of court and 2:15 pm for the afternoon session of court, unless excused by the Presiding Judge.
- E. Nothing in this order shall be construed by this Court or any other Court as a reason for a case to be judicially dismissed. This order is intended to be strictly administrative in nature.

IT IS SO ORDERED.

Date 9-19-08


Honorable Michael Nettles
Administrative Judge 2008
12th Judicial Circuit

Date 9/26/08

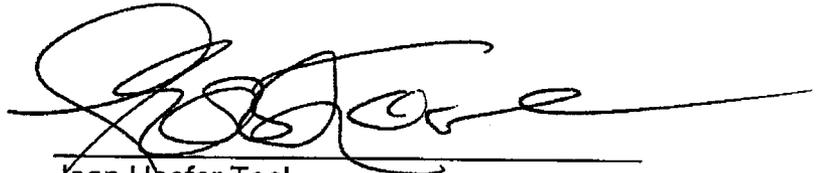

Honorable Howard P. King
Administrative Judge 2009
12th Judicial Circuit

The Supreme Court of South Carolina

ORDER

The Honorable Michael G. Nettles, Chief Judge for Administrative Purposes for the Twelfth Judicial Circuit for the period of July 6, 2008 through January 3, 2009 has submitted for approval the attached administrative orders amending certain local rules for the processing of criminal cases in Florence County previously approved by Order dated September 10, 2008 and in Marion County previously approved by Order dated September 14, 2008. Now, therefore,

Pursuant to the provisions of S.C. CONST. Art. V, §4, the Administrative Orders are hereby approved for use in Florence and Marion Counties.



Jean Hofer Toal
Chief Justice

November 10, 2008
Columbia, South Carolina

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
)
 COUNTY OF MARION) COOPERATIVE CASE MANAGEMENT
)
) ADMINISTRATIVE ORDER

Pursuant to the authority vested in this Court by the attached Administrative Order (Attachment A”) signed by the Honorable Chief Justice Jean Toal of the South Carolina Supreme Court, the following Administrative Order is hereby adopted by this Court of the County of Marion.

This Court hereby declares and orders that all General Sessions cases arising after October 15, 2007 will be processed through the Court under the principles of the system known as Cooperative Case Management. In accordance with the requirements of this system the following rules are hereby adopted.

The Court hereby directs that in each General Sessions case arising before the various Magistrate’s and Municipal Courts of the County, the following will be done:

BOND HEARING

1. Magistrates and Municipal Judges are required to transmit warrants to the Clerk of Court within 15 days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure and the Clerk of Court shall transmit a copy of all the warrants to the Solicitor within 2 business days from the date of receipt pursuant to Rule 3(b) of South Carolina Rules of Criminal Procedure.
2. At the time of their bond hearing all defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for appointment of counsel. Such screening will be done in a manner as prescribed by the Clerk of Court with all appropriate forms completed and transmitted to the Clerk of Court along with the warrants and bond paperwork.
3. The defendant shall be served with Notices of Initial Appearance and Docket Appearance at the time of the bond hearing. The Defendant’s attendance at the Initial Appearance and Docket Appearance shall be made a condition of the defendant’s bond by noting such in Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form. At the time of the setting of the Initial Appearance date the Magistrate or Municipal Judge shall inform the defendant in writing and orally of his right to a Preliminary Hearing. Should a hearing be desired, it will be scheduled at the Initial Appearance or within 10 days thereafter.

The date of the Initial Appearance shall be assigned in accordance with the schedule prepared and disseminated by the Solicitor's Office.

4. Summary Court Judges shall make a determination on bond on all charges Except those precluded by S.C. Code of Laws S 22-5-510(A).

II. INITIAL APPEARANCE

1. The Initial Appearance will be held at the Marion County Courthouse. Roll call will be conducted as necessary to ensure attendance. The Clerk is authorized to issue a bench warrant for those defendants who fail to appear and have not been excused by the Solicitor.
2. There shall be no continuances of Initial Appearances and the Initial Appearance is mandatory unless an Initial Appearance Attendance Waiver form has been executed by counsel for both the State and the Defense, approved by the judge and filed with the Clerk of Court. Execution and filing of the Initial Appearance Waiver form shall constitute satisfaction of the Initial Appearance condition of the Defendant's bond. A copy of the Initial Appearance Waiver form is attached hereto and incorporated herein by reference as Attachment B.
3. A preliminary hearing, if desired, must be requested in writing on, or within 5 days after, the initial appearance date.
4. The issue of legal representation shall be addressed at the Initial Appearance.
 - a. If a defendant qualifies for Court appointed counsel and has not retained private counsel the Public Defender shall continue to represent the defendant.
 - b. If a defendant qualifies for a Public Defender but retained private counsel prior to the Initial Appearance date then that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor. The Public Defender shall be relieved of representation at that time.
 - c. If a defendant did not qualify for a Public Defender, and a private attorney has been retained, then a letter of representation must be filed with the Clerk of Court and served on the Solicitor prior to the initial appearance.

- d. Unrepresented defendants may apply for a Public Defender at the Initial Appearance. Applications will be taken by the Clerk and if approved, will be assigned that day.
 - e. Defendants who remain unrepresented after the Initial Appearance must appear on their Docket Appearance date and remain in Court throughout that term until excused by the Court. These defendants must appear for each successive term of Court as required until their case is disposed.
5. In all cases where the defendant is represented by the Public Defender the Public Defender shall assess the case at the Initial Appearance for possible conflicts of interest and resolve those conflicts readily identifiable on that date. The Clerk shall, upon Affidavit of Conflict, appoint the next attorney from the conflict list and advise the defendant as to the identity of their attorney. The newly appointed counsel shall also be notified on that date and a preliminary hearing automatically scheduled for the defendant.
6. Issues of competency shall be addressed at the Initial Appearance. When appropriate, defense counsel shall move for a competency evaluation, and the State may consent to a competency evaluation of the subject defendant at the Initial Appearance. In the alternative, the State and defense may schedule a hearing to determine if a competency evaluation is necessary.
7. In all cases where it is feasible to do so, the defendant and the State shall enter into negotiations concerning pleas and dispositional tracking. All offers tendered at the Initial Appearance must be accepted or rejected by the defendant's Docket Appearance date.
8. By the Initial Appearance the Solicitor shall provide discovery in all cases where the appropriate motions have been filed with the Clerk of Court and served on the Solicitor.
9. DISCOVERY is ordered to be handled pursuant to the following guidelines.
- A. All law enforcement agencies shall provide copies of General Sessions case reports, together with all witness statements, video and audio tapes, photographs and diagrams, and any other material included in the law enforcement case file, to the Solicitor's Office within thirty (30) days of the arrest of the defendant. If the case file remains incomplete fifty-five (55) days after arrest, law enforcement shall provide the Solicitor's Office that portion of the report that is complete, together with a listing of those items for which law enforcement is

waiting. Failure to do so may necessitate an appearance before the Administrative Judge to explain non-compliance.

- B. The Solicitor's Office shall prepare defense discovery packets on all General Sessions cases. Defense discovery packets shall be provided on or before, the Initial Appearance date to all attorneys who have filed a general letter of representation along with the appropriate discovery requests with the Solicitor's Office.
 - C. The Solicitor's Office shall prepare a written plea offer for all General Sessions cases. Plea offers shall be communicated on the Initial Appearance Date to all attorneys who have filed a general letter of representation with the Solicitor's Office.
10. In order to be prepared to respond to the State's plea offer in a timely manner, all counsel should meet in person with their clients prior to the Docket Appearance date for the purpose of discussing the State's plea offer and all other matters relating to the defendant's case
11. At the Initial Appearance the case, will be assigned to one of two dispositional tracks. These tracks will be 270, and 365 days long, respectively. As a general rule all misdemeanors and class F felonies shall be on the 270 day track, all class A, B, C, D, and E felonies on the 365 day track. Assignment of cases to a track will be the responsibility of the Solicitor's Office. The tracking decision of the Solicitor is subject to review by the Circuit Court upon motion of the defendant filed prior to the defendant's Docket Appearance date, and at other times for good cause shown by motion in open court. Homicide, CSC, and CSC with minor cases will not fall within the guidelines of any track. The length of the track in which a case is placed determines the deadline by which a case must be moved. The disposition date is calculated from the Initial Appearance date or Docket Appearance date, whichever is earlier. Should the deadline fall in a non-court week, it will be extended until the end of the next term of Court. It is the objective of all parties to have every case concluded on or before its disposition date.
12. A status conference shall automatically be scheduled on a date at the halfway point of the assigned track for each case with the assigned or retained attorney and solicitor and presiding judge. This status conference shall not be waived unless the administrative judge finds that the case is on track for disposition and the status conference is unnecessary.

III. PRELIMINARY HEARINGS

1. Preliminary hearings shall be held at a sight assigned by the Chief Magistrate. The Presiding magistrate shall be appointed by the Chief Magistrate.
2. The Solicitor's Office shall represent the State at all centralized preliminary hearings for A,B, and C class felonies. Other preliminary hearings shall be conducted pursuant to previous guidelines with the Summary Court notifying all victims and witnesses of the date of said hearings.
3. Continuance of preliminary hearings may not be granted for any reason unless good cause is shown to the Chief Administrative Judge for General Sessions.
4. The defendant or their attorney must be present to be given a preliminary hearing. If one has been requested in a case involving an individual affiant then the failure of the affiant to appear and give testimony will result in the dismissal of the warrant if the defendant and his attorney are present and make the appropriate motion.
5. This section of the administrative order (Section III) shall remain in effect as long as law enforcement resources continue to allow the provisions contained herein to be carried out. Should it become impractical to conduct preliminary hearings in the manner outlined in this section the Solicitor may void the requirements of this section of the order by applying to one of the resident judges for a modification to this order. Such action, if approved, would only void this section of the order.

IV. INDICTMENTS

1. All General Sessions cases to be presented for indictment shall be presented to the Marion County Grand Jury within (90) days in accordance with Rule 3 of the South Carolina Rules of Criminal Procedure. This Court recognizes that due to their nature or type, certain cases may not be prepared to go to the Grand Jury within ninety days and grants an extension in those instances. All cases will be indicted prior to the Docket Appearance date.

V. DOCKET APPEARANCE

- A. The Docket Appearance will be held along with roll call in the General Sessions courtroom, or such other place so designated, at the Marion County Courthouse on Thursdays at 9:30 A.M. as set forth in the schedule prepared and supplied by the Solicitor's Office. Roll call will be conducted as necessary to ensure attendance. The Clerk of Court is authorized to issue bench warrants for those defendants who fail to appear and have not been excused by the Solicitor's Office or the Chief Administrative Judge of General Sessions Court. Defense counsel is required to be present with the defendant at the Docket Appearance.
- B. All parties shall, during this appearance, engage in final plea negotiations. In those cases where a plea agreement is reached, the parties shall prepare the necessary paperwork, obtain the necessary signatures, and schedule the plea.
- C. Plea offers shall expire at the end of the business day on the Docket Appearance date and will not be extended unless the defendant can demonstrate a material change in circumstances or some other exceptional situation .
- D. The presiding General Sessions Court Judge will hold Docket Appearance status conferences on cases that remain unresolved beginning at 9:00 A.M. on the Monday following the Docket Appearance date to assist the parties in resolving their cases. The Chief Administrative Judge for General Sessions Court shall assign a Circuit Court Judge to preside over the Docket Appearance status conferences. If the case remains unresolved at the status conference the case will be scheduled for trial before one of the presiding General Sessions judges.
- E. Defendants who remain unrepresented on their Docket Appearance Date must be present in Court throughout the following term. These defendants must appear for each successive term of Court required by their bond until their case is disposed.
- F. Cases may be resolved at any time prior to the specified guidelines

VI.

GENERAL SESSIONS COURT PRACTICE

- A. A trial roster and roll call roster shall be prepared for each term of General Sessions Court. For consecutive terms, the rosters may cover two terms of court. The rosters shall be prepared and published at least ten (10) business days prior to the term of Court and will be posted in the Courthouse, provided to the Chief Public Defender for Marion County, to the Chief Administrative Judge for General Sessions Court, and to all private counsel listed by U.S. Mail, e-mail, facsimile and/or hand delivery. It is the responsibility of all attorneys who have clients on this docket to notify their clients that their case is scheduled for disposition.

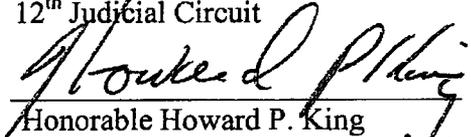
- B. The Solicitor's office shall set the order of trials, and a representative of The Solicitor's Office shall meet with the Chief Administrative Judge for General Sessions Court and a representative of the Public Defender's Office no later than the Monday morning a week before the term of court begins to review the order of trials, as well as, the Court's plea, bond, and probation revocation schedule. This may be done by teleconference at the Judge's discretion.
- C. All motions for continuance and requests for orders of protection shall be submitted to the presiding Judge and Solicitor's Office no later than seven (7) days prior to the commencement of the Court term. The Court will endeavor to hear and rule on the motions for continuance and requests for orders of protection before the commencement of the term of Court.
- D. During a term of General Sessions Court all assigned Solicitor's and Public Defenders shall be present in the designated courtroom no later than 9:15 am for the morning session of court and 2:15 pm for the afternoon session of court, unless excused by the Presiding Judge.
- E. Nothing in this order shall be construed by this Court or any other Court as a reason for a case to be judicially dismissed. This order is intended to be strictly administrative in nature.

IT IS SO ORDERED.

Date 9-16-08


 Honorable Michael Nettles
 Administrative Judge 2008
 12th Judicial Circuit

Date 9/26/08


 Honorable Howard P. King
 Administrative Judge 2009
 12th Judicial Circuit

The Supreme Court of South Carolina

RE: DISPOSITION OF CASES IN GENERAL SESSIONS IN THE THIRTEENTH JUDICIAL CIRCUIT

ORDER

The Court directs that in each General Sessions case arising before the various Magistrates and Municipal Courts of the county, the following procedure is to be followed:

I. Bond Hearing

- a. Within 72 hours, after being served with a warrant, a Defendant shall appear before a Magistrate for a bond hearing.
- b. At this hearing, the Defendant shall be assigned a Bond Returnable Date approximately 60 days from the date of the bond hearing.
- c. The Magistrate shall transmit the warrant to the Clerk of Court within 15 days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure.
- d. The law enforcement officer responsible for the investigation resulting in the warrant(s) shall transmit the case file and all available discovery to the Solicitor's office no later than 60 days after service of the warrant(s).

II. Track Assignment

- a. Once the Solicitor's office receives the warrants, cases will be automatically assigned to one of four specific tracks (12 month, 11 month, 10 month, 9 month) based on the CDR code of the most serious offense charged.
- b. Deadlines are automatically assigned to a case once it has been placed on a track. Deadlines begin to run from the date that the warrant is filed with Clerk of Court's office.
 - i. Offer letters are due no later than:
 1. 9 months on the 12 month track.
 2. 8 months on the 11 month track.
 3. 7 months on the 10 month track.

4. 6 months on the 9 month track.
- ii. Guilty pleas must be entered by:
 1. 12 months on the 12 month track.
 2. 11 months on the 11 month track.
 3. 10 months on the 10 month track.
 4. 9 months on a 9 month track.
- iii. Case is placed on proposed trial docket:
 1. After 12 months on the 12 month track.
 2. After 11 months on the 11 month track.
 3. After 10 months on the 10 month track.
 4. After 9 months on the 9 month track.
- c. The Court acknowledges that certain cases may take longer to prosecute and defend, and the Solicitor and the Defense counsel may extend plea negotiations for a period without order of Court. This does not infringe upon Defendant's right to move for a speedy trial or Solicitor's right to have case set for trial prior to the guilty plea deadline if negotiations have proven unsuccessful. After the time indicated in II b ii, plus a period of nine months has expired, the parties must seek leave of Court for any further extension.

III. Bond Returnable Date

- a. Approximately 60 days from the initial bond hearing, a Defendant shall appear for a Bond Returnable Date assigned by the Magistrate and/or Municipal Judge at the initial bond hearing. This appearance will be presided over by the CJAP or a Judge designated by the CJAP for that purpose.
- b. At this hearing, the Solicitor shall collect:
 - i. The Defendant's current mailing address.
 - ii. The Defendant's charges.
 - iii. The Defendant's Date of Birth.
 - iv. Attorney Information, if applicable.
- c. If a Defendant has an attorney at this time, the defense attorney may notify the Solicitor's Office five days in advance of the bond returnable date to waive his client's appearance in court. If notice of waiver is not received by the Solicitor's office, the Defendant must appear but may leave with the instruction to make contact with his attorney.
- d. If a Defendant does not have an attorney at this time, the presiding Judge shall order that he obtain an attorney within 60 days and inform the Defendant that if he does not have an

attorney by that time, the State may proceed to trial regardless of whether or not he has an attorney. Said order is to be filed with the Clerk of Court.

IV. Bond Card

- a. Prior to the plea offer deadline, the Solicitor shall issue a bond card summoning the Defendant during a Plea Court term.
- b. Defense attorneys shall notify their clients of specific court dates and shall communicate with the Solicitor's office as to when they want their clients bond carded for court.
- c. If a Defendant is pro se:
 - i. The Solicitor shall utilize this date to communicate about scheduling with pro se Defendants who have not been in contact with the Solicitor since the Bond Returnable Date.
 - ii. Pro se Defendants who are not yet under an order to obtain representation shall be placed under such an order at this time.
- d. If a Defendant is represented by counsel:
 - i. Prior to this date, the Solicitor shall provide the Defendant's attorney with a plea offer and requisite discovery.
 - ii. The Defendant's attorney may use this meeting as an opportunity to discuss the charges and any plea offer with his client if he has not had the opportunity to do so.
 - iii. If the Defendant desires to plead guilty, he may do so on this day as long as all victims have been notified of the plea in advance.

V. Jail Cases

- a. Jail cases shall be monitored with greater scrutiny than non-jail cases.
- b. Once a jail case passes the six month mark, the assigned Assistant Solicitor shall provide a status of the case and an expected disposition date to the Deputy Solicitor.
- c. Once a jail case passes the one year mark, the Solicitor shall place it on a designated spreadsheet or other case management tool for increased monitoring. This spreadsheet shall be provided on a monthly basis to the CJAP. These cases are to be reviewed every three to four months by the Deputy Solicitor. Again, the assigned Assistant Solicitor must provide a status of the case and an expected disposition date.
- d. Defendants in jail may be transported to the court house on designated days during non-court weeks to meet with their attorneys and to sign plea paperwork, if applicable.
 - i. The Solicitor shall deliver the appropriate paperwork to the holding cell/meeting rooms. This paperwork shall include a sentencing sheet, any restitution orders,

and the advice of rights (if required) even if these items have already been provided to the Defendant. In its discretion, the Solicitor's office may include a guilty plea summary sheet.

- ii. Although not every defense attorney chooses to participate in the jail sign-up, the Solicitor shall make reasonable efforts to encourage participation, including making Defendants/defense attorneys aware of the priority assigned to cases below.
- e. Jail cases for transport shall be assigned the following priority:
 - i. *Trial*: Inmates whose case is on the trial docket or who will be testifying in court on the day in question.
 - ii. *Signed-up Time Served*: Inmates who have signed the necessary paperwork and will be released from jail upon entering a guilty plea (this category includes those Defendants receiving time served sentences followed by probation).
 - iii. *Jail Signed-Up*: Inmates who have signed the necessary paperwork regardless of the plea offer.
 - iv. *Time Served Offers*: Inmates who have not signed the necessary paperwork but will receive a time served recommendation once he enters a plea of guilty.
 - v. *Jail*: Any remaining cases.

VI. Bench Warrants

- a. If a bench warrant is issued for a Defendant prior to the case being placed on a published trial docket, the case shall be assigned to a 120 day track upon his arrest on that bench warrant.
 - i. The Solicitor shall provide a plea offer by day 60.
 - ii. Guilty pleas shall be due on day 120.
- b. If a Defendant has new charges in addition to the Bench Warrant charges, the Defendant shall be placed on a track which coincides with the newest charge(s).
- c. If the bench warrant is issued on a case on the trial docket, the case shall not automatically be placed on a new track.

VII. Bond Cases/Street Pleas

- a. Defendants who are out on bond shall be issued a bond card summoning them to a Plea Court term
 - i. If a Defendant remains unrepresented, the presiding judge shall place him under an order requiring him to obtain representation (if the Defendant is not already under such an order).

- ii. If a Defendant has previously been under an order to obtain an attorney and has failed to do so in the allotted time specified in the order, the Defendant shall be brought before the presiding judge to determine whether the Defendant's bond should be revoked.
 - iii. If a Defendant is represented by counsel, the Defendant shall be excused. This does not prevent the parties from seeking to reach a resolution of the case that day.
 - b. Calling cases:
 - i. Defendants who have already signed the necessary plea paperwork shall be designated "Priority Pleas" and given priority in the order of cases called before the judge each day.
 - ii. Jail cases shall have priority over street/bond cases.
 - c. Each case shall have a "Guilty Plea Summary Sheet" which contains all pertinent information. This allows the plea to be handled by any Assistant Solicitor assigned to plea court that day. The remaining Assistant Solicitors are then free to continue work on other cases. This method allows for reduced congestion in the court room and decreases the requisite transition time between pleas.

VIII. Bonds and Motions

- a. Bonds
 - i. If a bond has not been set or if a Defendant has requested a bond reduction, a hearing shall be held via video-conferencing on the next available Friday (or day designated by the CJAP) subsequent to the exhaustion of negotiations between the parties on the issue of bond (paperwork must be received by noon on Monday).
 - ii. After this hearing, a Defendant must file a "Change of Circumstances" motion with the CJAP in order to have the matter of bond revisited by a judge.
- b. Motions
 - i. Motions filed by either the State or the Defense shall be heard on Fridays or any other designated time as approved by the CJAP;
 - ii. Once a motion is filed, with copies to opposing counsel and the CJAP, the CJAP shall determine if the motion shall be set for a hearing, and if so, shall set the motion on an upcoming docket.

- iii. All motions (except those allowed to be made *ex parte*) must contain language certifying that moving counsel has discussed the motion with opposing counsel, and that the parties were unable to resolve the motion prior to filing.

IX. Trials

- a. Once the track due date has expired, the Solicitor shall place a case on a proposed trial docket after consultation with defense counsel.
- b. Upon placement on the trial docket, a case shall be set for a date certain. In proposing a date certain, the Solicitor shall consider:
 - i. The age of the case.
 - ii. Jail status of the Defendant.
 - iii. Availability of witnesses.
 - iv. Whether the defense attorney is scheduled for a plea day on that date.
 - v. Any other special circumstances.
- c. The Solicitor's office shall provide the proposed trial docket to the CJAP and to defense counsel included on the docket.
- d. The CJAP shall review and modify the docket as appropriate. Any objection to the date certain must be submitted in writing to the CJAP and prior to publication of the docket. Nothing in this provision shall prohibit an attorney from moving for a continuance for good cause after publication.
- e. When the CJAP gives final approval of the docket, the Solicitor's office shall publish the docket.
- f. In Greenville County, the Solicitor's office shall publish the docket at least 30 days in advance of any trial date on the docket.
- g. Once the docket has been approved by the CJAP, any continuance at the request of the State or the defense may be granted only by the CJAP if prior to the term of court or by the trial judge if during the term of court.
- h. During the term of trial court, cases shall generally be called in the order published. Furthermore, the court shall oversee the calling of the cases and the most effective use of the presiding judges' court time. If the CJAP is a trial judge for that term, the CJAP shall make these decisions. If not, the first resident judge (or first non-resident judge if no resident judge is assigned) listed on the docket shall oversee the docket for the term of court.

This Order shall be effective January 1, 2014.

s/Jean H. Toal
Jean H. Toal
Chief Justice of the Supreme Court
For the State of South Carolina

December 12, 2013

STATE OF SOUTH CAROLINA)
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IN THE COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT
**DIFFERENTIATED CASE MANAGEMENT
ORDER**

I. CASE TRACKING

- A. The Solicitor shall utilize an automated differentiated case management system capable of tracking the following:
1. The assigned prosecutor;
 2. The date of defendant's arrest and copies of any related documents;
 3. The date of defendant's bond hearing and copies of any related documents;
 4. The date of defendant's indictment; and copies of any related documents
 5. The date of defendant's Initial Appearance and copies of any related documents;
 6. The date of defendants' Second Appearance and copies of any related documents;
 7. Any and all plea offers made;
 8. The Defendants' acceptance or rejection of such offers; and
 9. All subsequent court dates scheduled for the Defendant.

All of this information shall be published to the Public Index by the Clerk of Court. However, the substantive terms of each plea offer shall not be published, only that an offer has been made and the Defendant's response thereto.

- B. The system will also maintain contact information for both the Defendant and Defendant's attorney(s) (including any substitutions of counsel made throughout the pendency of the case).
- C. The Solicitor shall utilize an automated differentiated case management system that is compatible with the case management system used by the Clerk of Courts' offices for the 14th Judicial Circuit. The Chief Judge for Administrative Purposes ("CJAP") and its law clerk shall have unrestricted access to the case management system utilized by the Solicitor and the Clerks of Court.
- D. Each case will be assigned to one of the following Tracks prior to a Defendant's Initial Appearance. All cases will be evaluated on a three hundred and sixty five (365) day disposition timetable.
1. Track One: The standard disposition timetable for cases. This Track projects for cases to be disposed of within one year of arrest. The objective of the Solicitor's Office is to have eighty percent (80%) of Track One cases disposed of within 365 days of Defendant's arrest.

2. Track Two: The following cases shall be exempt from Track One:
 - a. Death Penalty cases;
 - b. Any case in which a death resulted;
 - c. Any case in which DNA evidence is material, based on evaluation by the Solicitor;
 - d. Any case in which the Defendant's competency and/or criminal responsibility has been determined to be an issue and the court has ordered the Defendant evaluated by either the Department of Mental Health or the Department of Disability and Special Needs; and
 - e. Any case which involves multiple co-defendants or unusually complex logistical or factual issues, based on evaluation by the Solicitor.
3. Cases assigned to Track One may be moved to Track Two by:
 - a. Motion of either party to the CJAP; or
 - b. *Sua sponte* motion from the CJAP with sufficient notice to all parties.
4. Cases assigned to Track Two may be moved to Track One by:
 - a. Motion of either party to the CJAP; or
 - b. *Sua sponte* motion from the CJAP with sufficient notice to all parties.
- E. If the Defendant fails to appear and a bench warrant is issued, the time limits contained in this Order are tolled from the date of the failure to appear until the Defendant is returned to custody or the bench warrant is lifted.
- F. A current jail list shall be provided to the CJAP and the presiding judge for any term of General Sessions. The jail list shall include the number of days of incarceration for any defendant in custody awaiting trial. The jail list shall be produced by the official responsible for maintaining the jail for each county of the Fourteenth Judicial Circuit. The jail list shall be provided to the CJAP by the first of each month and to the presiding judge on the first day of each General Sessions term.

II. ADMINISTRATION

A. Arrest and Bond Hearings

1. **Bond:** Bond is to be set within 24 hours of arrest with the exception of those offenses which Magistrates and Municipal Judges cannot set bond on. Should a Magistrate or Municipal Judge not be allowed to set bond, bond will be set during the next scheduled General Sessions Term of Court following the Defendant's arrest.
2. **Warrants:** Magistrates and Municipal Judges must transmit warrants to the County Clerk of Court within 15 days of arrest pursuant to Rule 3(a) of the South Carolina Rules of Criminal Procedure.

3. **Appointment of Counsel:** At the conclusion of their bond hearing, all Defendants will be screened by the Magistrate or Municipal Judge to determine if they qualify for appointment of counsel.
 - a. Screening by the Magistrate or Municipal Judge shall be done using the pre-hearing interview form.
 - b. If the Defendant qualifies for appointment of counsel, the Public Defender will be appointed to the case by the Magistrate or Municipal Judge.
 - c. **Post-Bond Hearing Screening:** If the Defendant is not screened by the Magistrate or Municipal Judge during their bond hearing, the Defendant may be screened by the Clerk of Court's office using the state-promulgated application for indigent defense. If the Defendant qualifies for appointment of counsel, the Public Defender will be appointed to the case by the Clerk of Court's office.
 - d. **Conflicts:** In all cases in which the Defendant is represented by the Public Defender, the Public Defender will assess the case prior to the Defendant's Initial Appearance for possible conflicts of interest and resolve those conflicts. The Public Defender shall file a conflict order with the Clerk of Court and another attorney shall be appointed to represent the Defendant. The newly appointed attorney shall be notified by the Clerk of Court's Office of their representation.
4. **Notice of Initial Appearance:** The Magistrate or Municipal Judge shall serve the defendant with a Notice of Initial Appearance at the time of the bond hearing.
 - a. The Initial Appearance is to take place within 90 days of their arrest.
 - b. The date of Initial Appearance will be assigned according to a schedule prepared and distributed by the Solicitor's Office.
 - c. The Defendant's attendance at the Initial Appearance will be made a condition of that Defendant's bond.
5. **Preliminary Hearing:** A Preliminary Hearing, if desired, must be requested in writing within ten (10) days of arrest as designated by Rule 2(a) of the South Carolina Rules of Criminal Procedure. Preliminary Hearings will be scheduled by the Magistrate and the Defendant or his/her attorney must be present to be given a Preliminary Hearing. Continuances may be granted for Preliminary Hearings if good cause is shown. A Preliminary Hearing must be requested in writing on or before the Defendant's Initial Appearance date.
6. **Discovery from Law Enforcement:** Law Enforcement agencies must provide all discovery materials (General Sessions case reports, together with all witness statements, video, and audio tapes, photographs, diagrams, and any other material included in the law enforcement case file) in criminal cases to the Solicitor's Office within thirty (30) days of the Defendant's arrest.

- a. Law enforcement agencies shall transmit all discovery to the Solicitor's Office electronically, if available, so as to facilitate an electronic discovery process.
- b. The failure to transmit all discovery materials to the Solicitor's Office within thirty (30) days could result in the remanding of the case to the law enforcement agency.
- c. Law enforcement is under a continuing duty to supplement discovery materials to the Solicitor's Office until the date of trial.

If, after receipt of the discovery and review of the case, the Solicitor's Office determines there is insufficient evidence to present the case for indictment to the Grand Jury, the Solicitor may remand the warrant(s) to the arresting agency for further investigation. The Clerk of Court shall designate such cases as Remanded for Further Investigation.

- d. The Solicitor's Office shall provide notice to the Defendant or his/her attorney and the victim(s) (if applicable) of the change in status of the case.
- e. Law enforcement shall have ninety (90) days from the date of remand to conduct any additional investigation and shall present any additional evidence to the Solicitor's Office.

Law enforcement's failure to (1) provide the Solicitor's Office with complete case files as set forth in this administrative order or (2) conduct additional investigation as required for cases Remanded for Further Investigation may result in the offending law enforcement agency being held in contempt of court and/or the case being dismissed with leave to re-indict. All motions for contempt shall be heard only by the CJAP.

B. Grand Jury

- 1. Grand Jury will meet prior to Initial Appearance Dates as deemed by the schedule prepared by the Solicitor's Office and approved by the CJAP. Cases will be presented to the Grand Jury within 90 days of arrest of the Defendant.
- 2. Cases that are deemed unfit for Grand Jury presentation may be remanded to Law Enforcement by the Solicitor's Office for further investigation prior to the Defendant's Initial Appearance date.

C. Initial Appearance

- 1. Initial Appearance will be held at the County Judicial Centers. Roll call will be conducted by the Solicitor's Office as necessary to ensure attendance.
 - a. The CJAP, or the presiding judge of General Sessions, may issue a Bench Warrant for any Defendant who fails to appear and has not been excused by the Solicitor's Office or the CJAP.
 - b. The Clerk of Court is also authorized to issue bench warrants based upon a written list generated by the Solicitor for those defendants who fail to appear and who have not been excused by the Solicitor's Office or the CJAP.

- c. All attorneys who represent Defendants are required to attend Initial Appearances unless excused by the CJAP or the Solicitor's Office.
 - d. If the Defendant has retained counsel or has had counsel appointed, the attorney for the defendant may waive the defendant's appearance at the Initial Appearance.
 - e. If the Defendant has retained counsel or has had counsel appointed, and the attorney for the defendant has submitted to the Clerk of Court's office the "Initial Appearance Report", then the attorney for the defendant and the Defendant shall be excused from appearing at the Initial Appearance.
2. The following matters will be addressed at the Initial Appearance:
- a. **Representation**: Defendants must be represented by either private counsel or the Public Defender by their Initial Appearance date. If a Defendant is unrepresented at that time, the Defendant may apply for the Public Defender that day by applying through the Clerk of Court's office. The Clerk of Court shall appoint counsel for the Defendant if the Defendant qualifies.
 - i. Failure to retain counsel may be deemed a violation of the Defendant's bond and Defendants who remain unrepresented at the time of Initial Appearance must appear on the next General Sessions court date at which time a Rule to Show Cause Hearing will be held to determine if the Defendant's bond should be revoked.
 - ii. This hearing will be held in front of the CJAP or the presiding Circuit Court Judge.
 - iii. Notice of this hearing may be given orally to the Defendant at Initial Appearance.
 - iv. Any Defendant wishing to proceed *pro se* on a General Sessions charge must appear before either the CJAP or the presiding Circuit Court Judge and be authorized by the Court to do so.
 - b. **Discovery**: By the Initial Appearance date, the Solicitor will provide a discovery packet and a copy of the indictment(s) to the Defendant's attorney. Discovery shall be transmitted to the Defendant's attorney electronically, if available, so as to facilitate an electronic discovery process.
 - c. **Plea Offers**: The Solicitor will also provide a plea offer to the Defendant's attorney on the Initial Appearance date, or not less than 30 days prior to the Defendant's Second Appearance date.
 - i. **In Writing**: All plea offers must be communicated in writing to the Defendant's attorney.
 - ii. **Information**: All plea offers must include the following information, which, when taken together, should constitute the entire plea offer being made: the charges contemplated by the plea, the terms of the offer, a listing of the charges being dismissed, if any, and the offer's expiration date.

- iii. **No Plea Offer:** If the Solicitor's Office does not extend a plea offer, this decision shall be communicated to the Defendant's attorney in writing and denoted by the Clerk of Court on the Public Index.
 - iv. **Pre-Trial Intervention:** If the Solicitor's Office is offering the Defendant the opportunity to participate in its Pre-Trial Intervention (PTI) program, such offer should be made at the Defendant's Initial Appearance. The Defendant will be given thirty (30) days from the Initial Appearance date to sign up for PTI.
- d. **Mental health issues:** During the Initial Appearance, the Defendant's attorney shall notify the Solicitor's Office of any mental health issues the Defendant client may have that affect the disposition of the case.
 - i. Should the Defendant's competency and/or criminal responsibility be at issue, the proper procedures shall be followed to engage the appropriate Departments for evaluation of the Defendant by presenting the request to the CJAP.
- 3. At the Initial Appearance, Defendants will be scheduled for a Second Appearance date. This date will be approximately 90 days after the Initial Appearance.

D. Second Appearance

- 1. **CJAP Presides:** The Solicitor shall prepare a schedule of Second Appearance dates and shall submit such schedule to the CJAP for approval. Second Appearances will be presided over by the CJAP, or his/her designee. Second Appearances will take place approximately 90 days from the date of Initial Appearances.
- 2. **Plea Offers Accepted:** Having received and reviewed plea offers at their Initial Appearances or no later than thirty (30) days prior to their Second Appearance date, Defendants shall notify the Court as to whether they accept or reject the State's offer. If the offer is accepted, the CJAP then schedules the guilty plea.
- 3. **Plea Offers Rejected:** Rejections of Plea Offers shall be placed on the record during the Second Appearance.
- 4. **Guilty Plea Paperwork:** Plea paperwork shall be prepared by the Solicitor and presented to the Defendant for signature at the Second Appearance. If not completed at that time, the plea paperwork is to be completed by the last business day before the next term of General Sessions court.
- 5. **PTI Offers:** Defendants who were offered PTI at their Initial Appearance and who have not signed up as of the date of their Second Appearance will be allowed to sign up for PTI that day. If they do not sign up that day the offer for PTI will be revoked.

6. **Discovery Completion**: both the State and defense counsel must certify to the Court that discovery is completed prior to the case being placed on the trial docket.

III. DOCKETING

A. **Trial Case Preparation and Docket Development**

1. The Solicitor shall have the initial responsibility for preparing and designating when a case is ready for trial. To do so, the Solicitor shall place the case on the General Trial Docket and notify the Clerk of Court and opposing counsel.
2. When a case is eighteen (18) months old, the Solicitor shall automatically place the case on the Priority Trial Docket.
 - a. General Trial Docket – this docket shall include all cases deemed ready for trial which are less than eighteen (18) months old and which do not fall under any scheduling mechanism.
 - b. Priority Trial Docket – this docket shall include
 - i. All cases which are more than eighteen (18) months old, measured from the date of arrest; or
 - ii. Those cases already operating under a scheduling mechanism, regardless of age.
3. By motion of either party and with a court order, or by *sua sponte* motion of the CJAP, a case may be moved from the General Trial Docket to the Priority Trial Docket, but only after written ten (10) days' notice to opposing counsel, or all counsel, based on the following criteria:
 - a. Age of the case
 - b. Jail status of Defendant
 - c. Availability of witnesses
 - d. Defense attorney orders of protection
 - e. Case complexity including co-defendants or multiple pending charges
 - f. Special circumstances, including public safety
4. Appropriate scheduling mechanisms include:
 - a. A formal letter from the Solicitor to the Defendant and defense counsel filed with the Clerk of Court setting forth a specified projected trial date, subject to change by the CJAP.
 - b. Written agreement between the parties setting forth a trial date filed with the Clerk of Court, subject to change by the CJAP.
 - c. Arraignment findings before the presiding judge on the record and reduced to writing in which a specified trial date was ordered filed with the Clerk of Court, subject to change by the CJAP.

- d. Consent scheduling orders setting forth a disposition schedule including status conference dates leading up to a projected trial date, submitted to and signed by the CJAP and filed with the Clerk of Court.
 - e. Status conferences before the CJAP during a term of General Sessions Non-Jury Court to address concerns and develop a disposition schedule as cited above, reduced to writing and filed with the Clerk of Court.
5. At any time, the Defendant may file a motion for a speedy trial in order that his case be placed on either the General Trial Docket or Priority Trial Docket by the CJAP.

B. Court Week Rosters

1. The Solicitor shall assemble cases from the two dockets into a proposed Court Week Trial Roster for each term of General Sessions.
 - a. The proposed Court Week Trial Roster shall be in the form of a numbered list and shall include:
 - i. The case name;
 - ii. The charges pending;
 - iii. The attorneys of record;
 - iv. Whether the Defendant is incarcerated or out on bond; and
 - v. How many days have passed since the date of arrest.
 - b. The proposed Court Week Trial Roster shall include not less than ten (10) cases from the Priority Trial Docket and not less than twenty (20) cases from the General Trial Docket.
2. The Solicitor shall provide the CJAP with the proposed Court Week Trial Roster for review and final approval.
 - a. In conjunction with the proposed Court Week Trial Roster, the Solicitor shall also provide the CJAP with a report from the automated differentiated case management system. This report shall be utilized by the CJAP to insure that cases are being called for trial based on the following:
 - i. Age of the case
 - ii. Jail status of Defendant
 - iii. Availability of witnesses
 - iv. Defense attorney orders of protection
 - v. Case complexity including co-defendants or multiple pending charges
 - vi. Special circumstances, including public safety
3. The proposed Court Week Trial Roster may be accepted by the CJAP as submitted or modified by the CJAP and returned to the Solicitor.
4. After approval of the Court Week Trial Roster by the CJAP, the Solicitor and the Clerk of Court are to publish the Court Week Trial Roster to their respective websites.

- a. In addition, the Solicitor shall serve a copy of the Court Week Trial Roster on all Defendants and defense counsel.
 - b. In addition, the Clerk of Court shall serve by electronic mailing a copy of the Court Week trial Roster on all defense counsel.
 - c. Publication and service of the Court Week Trial Roster must occur not less than thirty (30) days prior to a term of General Sessions.
5. In addition to the Court Week Trial Roster, the Solicitor shall also prepare a Court Week Plea Roster for each term of General Sessions. The Court Week Plea Roster shall be a list of all cases where the Defendant has agreed to plead guilty.
 - a. Should a Defendant wish to plead guilty after being placed on the Court Week Trial Roster, the guilty plea shall be added to the Court Week Plea Roster.
 - b. The Solicitor need not have the CJAP approve the Court Week Plea Roster, but the Solicitor should provide the presiding judge with a copy of the Court Week Plea Roster at the start of each term of General Sessions.
 6. All plea paperwork is to be completed by the last business day before the next term of General Sessions court.
 7. Defendants who fail to appear for their scheduled trial may be tried in their absence pursuant to Rule 16 of the South Carolina Rules of Criminal Procedure.
 8. The Solicitor will begin the Bond Estreatment process for any Defendant failing to abide by his/her Terms of Bond by failing to appear.
 9. Nothing in this Order shall be construed to limit a Defendant's right to a speedy trial.

C. Court Week

1. On the first day of a term of General Sessions, all assigned Solicitors, Public Defenders, and private counsel having cases on the Court Week Trial Roster and Court Week Plea Roster shall be present in the designated courtroom no later than 9:00 AM for the morning session of court.
2. Cases will be called for trial in the order that they appear on the Court Week Trial Roster.

IV. RECONCILIATION AND REPORTING

The Solicitor's Office will perform quarterly audits of its records and will notify the Clerk of Court's Office of the findings of these audits. Any discrepancy between the records of the Solicitor's Office and records of the Clerk of Court's office shall be reconciled immediately.

AND IT IS SO ORDERED!



Honorable Jean H. Toal
Chief Justice
South Carolina Supreme Court

June 19, 2014
Columbia, South Carolina



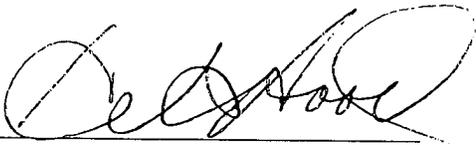
Honorable Perry M. Buckner
Chief Administrative Judge
Colleton, Hampton and Allendale Counties
Fourteenth Judicial Circuit

June 12, 2014
Walterboro, South Carolina



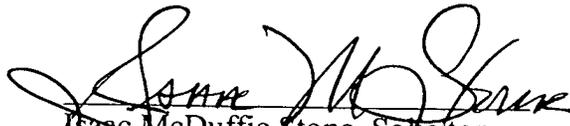
Honorable Carmen T. Mullen
Chief Administrative Judge
Beaufort and Jasper Counties
Fourteenth Judicial Circuit

June 10, 2014
Beaufort, South Carolina



Gene G. Hood, Public Defender
Fourteenth Judicial Circuit

11 June, 2014
Beaufort, South Carolina



Isaac McDuffie Stone, Solicitor
Fourteenth Judicial Circuit

June 5, 2014
Beaufort, South Carolina



State of South Carolina
The Circuit Court of the Fifteenth Judicial Circuit

STEVEN H. JOHN
RESIDENT JUDGE

1301 Second Ave. Suite 3A30
CONWAY, SOUTH CAROLINA 29526
(843) 915-6696
FAX: (843) 915-5859

January 7, 2014

Jimmy Richardson, Solicitor
Fifteenth Judicial Circuit
Horry County Judicial Complex
1301 Second Avenue
Conway, S.C. 29526

Orrie West, Esquire
Chief Public Defender
Fifteenth Judicial Circuit
P. O. Box 1666
Conway, SC 29526

**RE: DIFFERENTIATED CASE MANAGEMENT AND TRIAL
SCHEDULING ADMINISTRATIVE ORDER for General Sessions
Court**

Dear Jimmy & Orrie:

Please find enclosed a certified and true copy of the Differentiated Case Management and Trial Scheduling Administrative Order for General Sessions Court that Chief Justice Toal and I have signed, and which has been filed in Horry and Georgetown Counties. Please see that all members of your respective staffs receive notice of all of the terms of this Order. I am asking the Public Defender's Office to mail a copy of this Order to all Contract and Conflict Attorneys used by them. Please note that I made several changes to the Order based upon ~~the issues you brought to my attention.~~

I know you will communicate with your staff that we are all in this process together, and to help make the terms of this Order work, that they know those terms will be enforced. Certainly, if you have any questions, please do not hesitate to contact me and thank you for your attention to this matter.

With kindest personal regards, I remain

Sincerely yours,

A handwritten signature in black ink, appearing to read "Steven H. John", written over a horizontal line.

STEVEN H. JOHN
Chief Administrative Judge
Court of General Sessions
Fifteenth Judicial Circuit

SHJ/mc

Enclosure

Attachment A - Compilation of Case Management Orders (SCCPC - LOC 8-15-18)

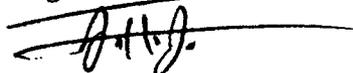
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docket appearance hearing shall be made a condition of the defendant's bond by noting such in Section III of a Personal Recognizance Bond Form or Section D of a Surety Bond Form. The dates of the initial appearance hearing and the docket appearance hearing shall be assigned in accordance with the schedule prepared and supplied by the Solicitor's Office.

- C. During the course of the bond hearing, the Magistrate or Municipal Judge shall inform the defendant in writing and orally of his or her right to a Preliminary Hearing. Should a hearing be desired, it will be scheduled at that time by the Court in accordance with current practice.
- D. At the conclusion of their bond hearing, all General Sessions defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for appointment of counsel. Such screening will be done in a manner as prescribed by the Clerk of Court. Should the Court determine that the defendant qualifies for court appointed counsel, the Judge shall assign the appropriate Public Defender's Office to represent the defendant. The Magistrates and Municipal Judges shall maintain a record of defendants who qualify for court appointed counsel and shall notify the Public Defender's office, in writing or by email, of their appointment at the conclusion of each day's bond hearings. In addition, the Magistrates and Municipal Judges shall forward copies of the defendant's application form, warrants, incident report, and Notice of Mandatory Appearance form to the Solicitor's Office and the Public Defender's Office for all cases in which the court has appointed the Public Defender as expeditiously as possible.
- E. Magistrates and Municipal Judges shall transmit warrants to the Clerk of Court within fifteen (15) days as required by Rule 3(a) of the *South Carolina Rules of Criminal Procedure*.

III. CASE TRACKING

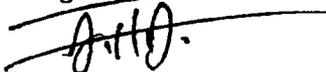
- A. The Solicitor shall utilize an automated differentiated case management system capable of tracking the assigned prosecutor, date of arrest, bond hearing, indictment, initial appearance, docket appearance, and whether any plea offer was made and if such offer was accepted or rejected. This system will also track the contact information for the defendant and the defendant's attorney and can be accessed or electronically provided to the Clerk of Court when appropriate.
- B. Prior to the Initial Appearance, all cases will be subject to evaluation against a three hundred sixty-five (365) day disposition benchmark. It is the objective of all parties to have eighty percent (80%) of Track 1 cases concluded on or before their target disposition dates.
 - 1. Track One: The standard disposition timetable for cases shall be under Track One which projects a final disposition of 1 year from date of arrest. Should the disposition date fall on a non-court week, it will be extended until the end of the next term of Court.



2. Track Two: The following cases shall be exempt from the three hundred sixty-five (365) day benchmark. These case types include only the following categories:
 - i. Death penalty and those involving loss of life;
 - ii. Those in which DNA evidence is material;
 - iii. Those which, pursuant to court order, have engaged the South Carolina Department of Mental Health for the purpose of determining competency and/or criminal responsibility; and
 - iv. Those which have multiple co-defendants or unusually complex logistical or factual issues.
- C. Cases may be moved from Track 1 to Track 2 after the Initial Appearance if the Court orders a Department of Mental Health evaluation or if further forensic testing becomes necessary.
- D. Once a defendant's case is assigned to Track 2, all other cases pending, or that may become pending against that defendant, will be assigned to this track.
- E. If the defendant fails to appear and a bench warrant is issued, the time limits contained in this order are tolled from the date of the failure to appear until the defendant is returned to custody or the bench warrant is lifted.
- F. Trials *in absentia* continue to be appropriate pursuant to the trial judge's finding of proper notice given.

IV. DISCOVERY

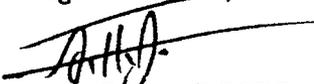
- A. All law enforcement agencies shall provide copies of General Sessions case reports, together with all witness statements, video and audio tapes, photographs, diagrams, and any other material included in the law enforcement case file to the Solicitor's Office within thirty (30) days of the arrest of the defendant. If the case file remains incomplete thirty days after arrest, law enforcement shall provide the Solicitor's Office that portion of the report that is complete, together with a listing of those items for which law enforcement is waiting. Law enforcement's failure to provide the Solicitor's Office the complete case file as set forth in this administrative order may result in the offending law enforcement agency being held in contempt of this court and/or the case being dismissed with leave to re-indict. All motions for contempt shall be heard only by the Chief Administrative Judge.
- B. The Solicitor's Office shall prepare a defense discovery packet on all General Sessions cases on or before the defendant's initial appearance date. Further, the Solicitor's Office shall provide the defense discovery packet, on or before the initial appearance date, to any attorney that has filed a general letter of representation along with the appropriate discovery request with the Solicitor's Office.
- C. The Solicitor's Office shall prepare a written plea offer for every General Sessions case and provide it on or before the defendant's initial appearance date to any



attorney that has filed a general letter of representation with the Solicitor's Office. As a matter of practice, the written plea offer shall at a minimum contain a listing of the charges contemplated by the offer, the terms of the offer, and the expiration date of the offer. Plea offers shall generally expire on the date of the defendant's docket appearance date. The Solicitor shall provide an adequate amount of time in the terms of the plea offer for counsel and the defendant to review, discuss, and respond to the offer prior to the expiration date.

V. REMANDED FOR ADDITIONAL INVESTIGATION

- A. If the assigned prosecutor determines, within ninety (90) days of the date of arrest, that insufficient evidence exists to present a case to the Grand Jury, he or she shall remand the warrant(s) back to the investigating agency for further investigation.
- B. Upon remand, the assigned prosecutor shall provide written notification to the defendant, victim(s) if applicable, and the investigating agency of the change in status of the warrant. The investigating agency shall have ninety (90) days from the date of remand to conduct such additional investigation as requested and as it deems appropriate and shall present any additional evidence to the assigned prosecutor for consideration.
- C. Upon providing notice of remand for further investigation, the Solicitor's Office shall remove the warrant(s) from the assigned prosecutor's pending cases list and shall classify them separately as remanded for further investigation.
- D. Once the investigating agency has concluded its additional investigation, it shall present its evidence to the assigned prosecutor, who will then determine if sufficient evidence exists to present the case to the Grand Jury or otherwise advance the prosecution.
- E. Should the investigating agency fail to present sufficient evidence to the assigned prosecutor within ninety (90) days of the date of remand, the Solicitor's Office shall administratively dismiss the warrant(s) without prejudice and shall notify the victim(s) if applicable and the investigating agency.
- F. Should the assigned prosecutor determine that sufficient evidence exists to advance the prosecution of the case, he/she shall restore the warrant(s) back to his/her pending case list so that he/she may take the steps necessary to move the case toward disposition. The assigned prosecutor may request that a remanded warrant be restored at any time prior to the warrant's administrative dismissal.
- G. Upon notice of a remand for further investigation, the Solicitor and defense counsel shall confer regarding the bond status of the defendant and the defendant may petition the Court for review of the amount and conditions of his/her bond.
- H. Nothing in this section shall be construed as limiting the state's authority to directly present criminal cases to the Grand Jury for indictment.



VI. INDICTMENTS

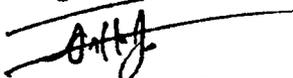
- A. All General Sessions cases to be presented for indictment shall be presented to the appropriate Grand Jury within ninety (90) days of the case being transmitted by the Clerk of Court to the Solicitor's Office and in accordance with the *South Carolina Rules of Criminal Procedure*.
- B. This Court recognizes that certain cases may not be prepared to go to the Grand Jury within ninety (90) days due to their nature and may grant an extension in those instances.
- C. In accordance with South Carolina law, no preliminary hearings will be held on indicted cases.

VII. INITIAL APPEARANCE

- A. The Initial Appearance will be held as set forth in the schedule prepared and supplied by the Solicitor's Office, but no sooner than sixty (60) days from the date of arrest. Roll call will be conducted as necessary to ensure attendance. The Clerk of Court is authorized to issue bench warrants based on a written list generated by the Solicitor for those defendants who fail to appear and who have not been excused by the Solicitor's Office or the Chief Administrative Judge for General Sessions Court.
- B. There shall be no continuances of Initial Appearances.
- C. Defendants may be excused in writing from Initial Appearance if all matters to be addressed during Initial Appearance have been addressed by the prosecution and defense prior to the hearing. Email confirmation between the Attorney of record and the Solicitor's Office will satisfy the writing requirement.

~~D. The issue of legal representation shall be addressed at the Initial Appearance.~~

1. Unrepresented defendants may apply for a Public Defender at the initial appearance. Applications will be taken by the Clerk of Court and, if approved, will be assigned that day.
2. The Clerk of Court will screen the defendant for indigence pursuant to State law.
3. If a defendant qualifies for a Public Defender, but has retained private counsel prior to the Initial Appearance date, then that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor. The Public Defender shall be relieved of representation at that time.
4. If a defendant did not qualify for a Public Defender and private counsel has been retained, then a letter of representation from such private counsel must be received by the Solicitor's Office on or before the initial appearance.
5. Defendants who remain unrepresented must appear for their Docket Appearance and remain in Court throughout that term until the issue of representation has been addressed on the record before the court. The defendant will be warned of the dangers of acting *pro se* at that time. These defendants may be required to



appear for each successive term of Court as required by their bond until their case is disposed.

6. In all cases where the defendant is represented by the Public Defender, the Solicitor's Office and the Public Defender shall assess the case at the initial appearance for possible conflicts of interest and resolve those readily identifiable conflicts on that date. The Clerk shall, upon Affidavit of Conflict, appoint the next attorney from the conflict list and advise the defendant as to the identity of his/her attorney. The newly appointed counsel shall be notified by the Public Defender's Office and appointed counsel shall notify the State Office of Indigent Defense in accordance with their policies and procedures.
- E. Issues of competency shall be addressed at the Initial Appearance. When appropriate, the State or defense counsel shall move for a competency evaluation. In the alternative, the State and defense may request a hearing to determine if a competency evaluation is necessary. All established procedures for a competency evaluation shall be followed by the State and defense counsel.
- F. In all cases where it is feasible to do so, the defendant and the State shall enter into negotiations concerning pleas and scheduling at Initial Appearance.
 1. In order to be prepared to respond to the State's plea offer in a timely manner, defense counsel shall meet in person with their client prior to the Docket Appearance for the purpose of discussing the State's plea offer and other necessary matters relating to the defendant's case.
 2. The Public Defender shall use the Initial Appearance hearing to schedule appointments for this purpose.

VIII. DOCKET APPEARANCE AND ROLL CALL

- A. Roll Call shall be held prior to the terms of General Sessions Court in order to efficiently schedule court business before the appropriate presiding judge.
-
1. The Docket Appearance will be held along with Roll Call as set forth in the schedule prepared and supplied by the Solicitor's Office.
 2. Both the Final Trial Roster and the Roll Call roster shall be prepared and published at least ten (10) business days prior to the term of Court and will be posted in the Courthouse and provided to the Chief Public Defender, the Chief Judge for Administrative Purposes(CJAP) for General Sessions Court, and any private counsel of record.
 3. Roll Call will include those defendants whose cases have been directly presented to the Grand Jury and/or whose Docket Appearance dates have passed without their cases being disposed.
 4. Defendants and defense counsel are required to appear for Docket Appearance and Roll Call. The Defendant must remain until excused by the court or the Solicitor's Office. If defense counsel must leave before the defendant is excused, he/she shall make sure some attorney can speak officially for the counsel and the defendant. The Clerk of Court is authorized to issue bench warrants for those



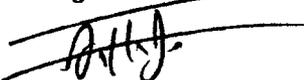
defendants who fail to appear for Docket Appearance or Roll Call and also for those defendants that fail to remain until excused by the Solicitor's Office based upon a written list prepared by the Solicitor's Office. A copy of the list shall be provided to all counsel of record. No defendant shall be subject to this Roll Call prior to his/her docket appearance date.

5. During this appearance, the parties shall engage in final plea negotiations unless an arraignment is necessary. The CJAP shall be notified in writing of such request for an arraignment within fifteen (15) days. In those cases where a plea agreement or other disposition is reached, the parties shall prepare the necessary paperwork, obtain the necessary signatures, and/or schedule the plea as needed to dispose of the case.
6. Plea offers shall expire at the end of the business day on the Docket Appearance date and in general will not be extended. The Solicitor shall provide an adequate amount of time in the terms of the plea offer for counsel and the defendant to review, discuss, and respond to the offer prior to the expiration date.
7. In those cases where plea negotiations are not successful, the defendant must affirmatively express his/her intent to reject the State's final plea offer. This may be accomplished in the following two ways:
 - a. A written rejection of plea offer form signed by the defendant and defendant's counsel; or
 - b. An arraignment hearing on the record before the presiding judge.

IX. GENERAL SESSIONS COURT PRACTICE

- A. During a term of General Sessions Court, all assigned Solicitors, Public Defenders, and private counsel shall be present in the designated courtroom no later than 9:00 a.m. for the morning session of court in order to prepare for the Presiding Judge to take the bench at 9:30 a.m. Participants in the afternoon session shall be present at 1:30 p.m. for the afternoon session of court in order to prepare for the Presiding Judge to take the bench at 2:00 p.m. unless ordered otherwise by the Presiding Judge.

- B. During the term of trial court, cases shall generally be called in the order published. Furthermore, the court shall oversee the calling of cases and the most effective use of the Presiding Judge's court time.
- C. Motions for continuance for cases projected from the priority trial docket and requests for orders of protection shall be served upon the Chief Administrative Judge for General Sessions Court or his designee and upon the opposing counsel no later than the Thursday by 10:00 a.m. of the week prior to the commencement of the court term.
- D. The Court will endeavor to hear and rule on the motions for continuance and requests for orders of protection before the commencement of the term of court after proper notice to the Court in writing.
- E. Nothing in this order shall be construed by this Court or any other Court as a reason for a case to be judicially dismissed. This order is intended to be strictly administrative in nature.

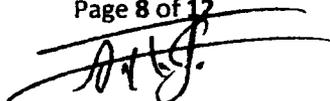


X. TRIAL CASE PREPARATION AND DOCKET DEVELOPMENT

A. Unless a plea agreement is reached, the defendant shall reject the state's final plea offer in writing or on the record in an arraignment before the presiding judge as cited above.

B. The Solicitor shall have the initial responsibility for preparing and designating when a case is ready for trial. Thereafter, the Solicitor shall place the case on one of two dockets:

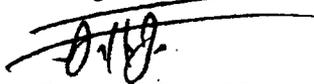
1. General Trial Docket: This docket shall include all cases deemed ready for trial which are less than eighteen (18) months old and which do not fall under any scheduling mechanism.
 - a. At least ten (10) cases in this category shall appear on the Proposed Trial Roster each month. Trial notices on General Docket cases shall be published by the Clerk of Court ten (10) days prior to the term of Court based on the information from the Solicitor's Office.
 - b. Cases may be moved from the General Docket to the Priority Docket, but only after written ten (10) days notice to the defense counsel, based on the following criteria:
 - i. Age of the case;
 - ii. Jail status of defendant;
 - iii. Availability of witnesses;
 - iv. Defense attorney orders of protection;
 - v. Case complexity including co-defendants or multiple pending charges; and
 - vi. Special circumstances, including public safety.
 - c. A defendant can file a motion for a speedy trial at any time and can be placed on either the General Docket or Priority Docket by the CJAP, or his designee, depending on the age of the case.
2. ~~Priority Trial Docket: This docket shall include all cases which are more than~~ eighteen (18) months old or those cases already operating under a scheduling mechanism, regardless of age.
 - a. Appropriate scheduling mechanisms include:
 - i. A formal letter from the Solicitor to the defendant and counsel filed with the Clerk of Court setting forth a specific projected trial dates, subject to change by the CJAP;
 - ii. Written agreement between the parties setting forth a trial date, subject to change by the CJAP;
 - iii. Arraignment findings before the presiding judge on the record and reduced to writing in which a specific trial date was ordered, subject to change by the CJAP;
 - iv. Consent scheduling orders submitted to the CJAP setting forth a disposition schedule including status conference dates leading up to a projected trial date; and



- v. Status conferences before the CJAP, or his designee, during a term of General Sessions Non Jury Court to address concerns and develop a disposition schedule as cited above.
- b. Three cases from the Priority Docket should be projected for a date certain each term of court.
 - i. Two serious trials that could consume a five day term of court, and one further case shall be scheduled as a backup.
 - ii. General Docket cases will back up Priority Docket cases.
 - iii. This is designed to minimize the impact to victims and witnesses in serious cases when their expectations are heightened in preparation of the trial and then, due to the constraints of time, their case cannot be reached and must be rescheduled.
- c. The Solicitor shall utilize the Six Month General Sessions Court Schedule as provided by Court Administration and combine this with the CJAPGS trial judge assignments and non-jury terms of court to create a draft Six Month Projected Trial Schedule in consultation with the CJAP.
- d. Three potential date certain trial slots will be allocated for Priority Docket cases for each term of trial court. These slots will be filled as the cases become prepared with the defendant's name, the attorneys' names and a brief description of the scheduling mechanism utilized to place it in that projected trial slot.
- e. This evolving scheduling tool shall be provided to the CJAP and to the presiding judge for non-jury terms to offer up-to-date supporting information to resolve continuances or other conflicts in trial court scheduling with multiple trial judges.
- f. These Six Month Projected Trial Schedules are an administrative tool for planning only and shall not confer to a defendant a right to trial on any particular date.

XI. NON-JURY TERMS OF COURT

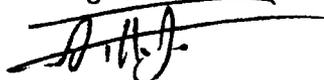
- A. Court Administration shall designate certain terms of Court during the year as non-jury terms. During said terms, the Court shall hear substantive motions from cases set for a date certain as well as other filed motions, guilty pleas, and other Court business.
- B. Priority shall be given to pre-trial matters on Priority Docket trials projected to be heard during the next term of court. These shall be scheduled beginning on the Monday of non-jury terms as far as practical.
- C. Status conferences on projected trials for future terms of Court shall also be scheduled beginning on Monday to assure these Priority Docket trials will be resolved on or before their projected date.



1. Such conferences should identify cases that may be disposed by guilty pleas, cases where continuances may be sought, or cases where discovery or other issues may require the Court's attention.
 2. Addressing such issues at status conferences should allow enough time to remedy a situation or to prepare the back-up Priority Docket or other trial cases to replace any case disposed of or continued.
- D. Once the status conferences for future terms of court are resolved, the court shall undertake the substantive motions on cases set to be heard at the next term of court as time allows. Hearings in subsequent cases may be rescheduled for a day and time certain later in the same non-jury term.
- E. Motions filed with the Clerk of Court and served on the opposing side concerning cases not on the trial roster shall be scheduled for the morning session of Court on the assigned Solicitor's team court business day or during any other term of general sessions plea court as set by the CJAP or other presiding Judge.
- F. After motions and status conferences, the remainder of the non-jury term shall be dedicated to guilty pleas, probation revocations, and general Court business in order to dedicate more judicial resources to trials when a jury pool is available.

XII. SCHEDULING OF TRIALS

- A. The 15th Judicial Circuit has a large population of part-time residents, transients, and seasonal tourists who become victims and material witnesses and then leave the jurisdiction while the case is still pending. The expense of securing attendance of such victims and witnesses on a date certain for trial is the responsibility of the Solicitor. This order acknowledges this issue and addresses the necessity for enhanced judicial supervision to ensure the efficient, cost effective, and timely management of the trial docket.
-
- B. The Solicitor shall assemble cases from the two dockets into a Proposed Trial Roster for a specific term of court before the assigned presiding judge in the form of a numbered list. The Solicitor shall take into consideration the readiness and availability of defense counsel if that particular defense counsel has more than one (1) case on the docket.
- C. The Priority Docket cases will be listed first followed by the General Docket cases.
- D. This Proposed Trial Roster will consist of at least three Priority Docket cases combined with at least ten (10) cases from the General Docket.
- E. The cases will be ordered to reflect victim and witness availability. During the term of trial court, the cases shall generally be called in the order as published.
- F. The Solicitor shall provide the CJAP with this Proposed Trial Roster for review and final approval. This Proposed Trial Roster may be accepted by the Court as submitted or modified by the CJAP and returned to the Solicitor.



- G. Upon approval by the CJAP, this becomes the Final Trial Roster and the Clerk of Court shall publish it in a conspicuous place in the Courthouse for public viewing.
- H. Trial notices on Priority Docket cases shall already have been communicated to the defendant through the scheduling mechanism utilized, and shall be repeated in the Final Trial Roster published by the Clerk of Court ten (10) days prior to the term of Court.
- I. Once a case has been placed on a Final Trial roster, it will be carried over to the next available term of court or projected to a specific term of court until it is disposed. Those cases will be joined by new cases submitted by the Solicitor for the upcoming terms of court. The trial rosters are for notice and planning only and shall not confer to a defendant a right to trial on any particular date.

XIII. TRIAL DOCKET MANAGEMENT AND JUDICIAL SUPERVISION

A. Cases shall be managed and supervised as follows:

- 1. Date of arrest to one (1) year: these cases shall be under the sole jurisdiction of the Solicitor and may be placed on the General Docket at the Solicitor's discretion, unless placed on Priority Docket with a projected date certain.
- 2. One (1) year but less than eighteen (18) months: these cases shall remain under the jurisdiction of the Solicitor and may be placed on the General Docket at the Solicitor's discretion, but they shall be reviewed by the Solicitor and a scheduling mechanism employed prior to the case reaching eighteen (18) months old.
- 3. Eighteen (18) months or more: these cases shall be reviewed and supervised by the CJAP as follows:
 - i. The Solicitor shall forward a status report and a Six Month Projected Trial Roster on cases in this category to the CJAP for review. The reports shall be updated and submitted quarterly.
 - ii. The report should outline any unique concerns and whether there is a written scheduling mechanism in place. ~~If none are in place, the~~ Solicitor should include proposed scheduling mechanisms and a disposition timetable. Upon completing the review of this report, the CJAP may:
 - a. Be satisfied with the scheduling mechanisms in place;
 - b. Request additional information from the Solicitor; or
 - c. Mandate the use of additional scheduling mechanisms on the case, such as hearings during a term of Non-jury General Sessions Court in order to develop an appropriate scheduling order.
 - iii. The CJAP shall use the Six Month Projected Trial and Non-Jury Schedule to develop an appropriate disposition plan.
 - iv. These cases will remain under judicial supervision of the CJAP as cited above until they are disposed of.



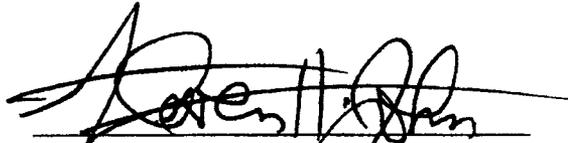
Therefore, it is

ORDERED that this Administrative Order shall go into effect immediately upon the signing by the undersigned. This Order shall remain in effect unless rescinded by the Chief Justice of the South Carolina Supreme Court and the Chief Administrative Judge for General Sessions of the Fifteenth Judicial Circuit or other Order of the South Carolina Supreme Court.

IT IS SO ORDERED.



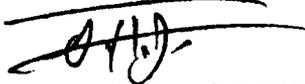
Honorable Jean H. Toal
Chief Justice
South Carolina Supreme Court



Honorable Steven H. John
Chief Administrative Judge,
General Sessions
Fifteenth Judicial Circuit

January 6, 2014
Columbia, South Carolina

1/6, 2014
Conway, South Carolina



STATE OF SOUTH CAROLINA)
)
COUNTY OF UNION)
)
STATE OF SOUTH CAROLINA,)
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)
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FILE FOR RECORD
IN THE COURT OF GENERAL SESSIONS
97 JAN -8 AM 9:37
JUNE W. MILLER
CLERK OF COURT
UNION, SC
AMENDED ADMINISTRATIVE ORDER

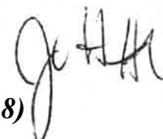
Pursuant to the authority vested in this Court by the attached Administrative Order (Attachment "A") signed by The Honorable Chief Justice Ernest A. Finney, Jr. of the South Carolina Supreme Court, the following Administrative Order is hereby adopted by this Court for the County of Union.

This Court hereby declares and orders that all General Sessions cases arising in Union County after March 1, 1997 will be processed through the Court under the principles of the system known as Differentiated Case Management. In accordance with the requirements of this system the following rules are hereby adopted.

The Court hereby directs that in each General Sessions case arising before the various Magistrates and Municipal Court of this County, the following will be done:

I. BOND HEARING

1. Magistrates and Municipal Judges are required to transmit warrants to the Clerk of Court within 15 days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure. The Clerk of Court shall then have two days to transmit the warrant to the Solicitor.
2. At the time of their bond hearing all defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for appointment of counsel. Such screening will be done in a manner as prescribed by the Clerk of Court.
3. The defendant shall be served with a Notice of Initial Appearance at the time of the bond hearing. The defendant's attendance at the initial appearance shall be made a condition of the defendant's bond by noting such in Section III of a Personal Recognize Bond Form or Section D of a Surety Bond Form. At the time of the setting of the Initial Appearance date the Magistrate or Municipal Judge shall inform the defendant in writing and orally of his right to a Preliminary Hearing. Should a hearing be desired, it will be provided at the Initial Appearance. The date of the Initial Appearance shall be assigned



in accordance with a schedule to be prepared by the Sixteenth Circuit Solicitor. Future schedules will be prepared by the Solicitor as new court schedules are issued by Court Administration.

II. INITIAL APPEARANCE

1. The Initial Appearance will be held at the Union County Courthouse. A Magistrate will be assigned by the Chief Magistrate to preside over the Initial Appearances and conduct Preliminary Hearings.
2. Continuances of an Initial Appearance can only be granted by the Magistrate presiding over the Initial Appearance, or by consent of both the prosecution and the defense. Continuances granted by the Magistrate will only be granted for good cause shown and no Initial Appearance will be continued beyond the next scheduled Initial Appearance date.
3. The Preliminary Hearing, if requested, will be afforded a defendant at the Initial Appearance. The Solicitor's Office shall represent the State at all such hearings, and notify all non-law enforcement affiants of the dates of such hearings.
4. The issue of legal representation shall be addressed at the Initial Appearance.
 - a. If a defendant qualifies for Court appointed counsel and has not retained private counsel the Public Defender shall continue to represent the defendant.
 - b. If a defendant qualifies for a Public Defender but has retained private counsel prior to the Initial Appearance date then that attorney must file a Notice of Representation with the Clerk of Court and serve a copy on the Solicitor. The Public Defender shall be relieved of representation at that time.
 - c. If a defendant did not qualify for a Public Defender, and private counsel has been retained, then a letter of representation must be filed with the Clerk of Court and a copy served on the Solicitor. Once notice of representation has been filed, no attorney may be relieved of representation except upon order of the Court upon good cause shown.
 - d. Defendants who remain unrepresented at the Initial Appearance must appear on their Bond Returnable date and remain in Court throughout that term until excused by the Court. These defendants must appear for each successive term of Court as required by their bond until their case is disposed.

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5. In all cases where the defendant is represented by the Public Defender the Public Defender shall assess the case at the Initial Appearance for possible conflicts of interest and resolve those conflicts readily identifiable on that date. The Clerk shall, upon Affidavit of Conflict, appoint the next attorney from the conflict list and the Initial Appearance shall be continued until the next Initial Appearance date.
6. In all cases where it is feasible to do so, the defendant and the State shall enter into negotiations concerning pleas and dispositional tracking. All offers tendered at the Initial Appearance must be accepted or rejected by the Thursday prior to that defendant's Bond Returnable date.
7. At the Initial Appearance the Solicitor shall provide discovery in all cases where the appropriate motions have been filed with the Clerk of Court.
8. All Law Enforcement Agencies are required to forward to the Solicitor's Office all existing case reports no later than one week prior to the Initial Appearance date.
9. At the Initial Appearance the case will be assigned to one of three dispositional tracks. These tracks will be 90, 120 and 150 days long respectively. Assignment of cases to a track will be the responsibility of the Solicitor's Office. The tracking decision of the Solicitor is subject to review by the Circuit Court upon motion of the defendant filed prior to the defendant's bond returnable date, and at other times for good cause shown by motion in open court. Murder cases will not fall within the guidelines of any track.

The length of the track in which a case is placed determines the deadline by which a case must be moved. The date is calculated from the Initial Appearance date or Bond Returnable date, whichever is earlier. Should the deadline fall in a non-court week, it will be extended until the end of the next term of Court.

These deadlines will be judicially monitored and enforced. NO PLEA NEGOTIATIONS WILL BE ACCEPTED IN THE FINAL TERM OF A CASES TRACK.

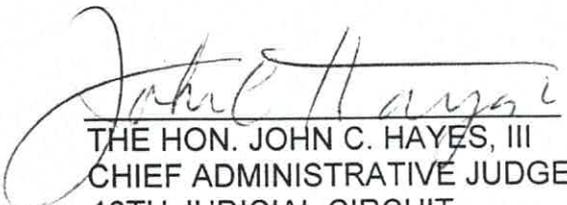
III. GENERAL SESSIONS COURT PRACTICE

1. The Solicitor's Office will, on the 1st and 15th of each month, provide the Chief Administrative Judge a list of all pending cases within 30 days of their track deadlines.
2. Presiding Judges will be available from 9:00 - 9:30 on Tuesdays through

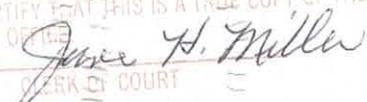
Fridays of General Sessions Court terms to hold case status conferences with attorney's for the state and the defense. Conferences may be requested by either party and once scheduled, appearance is mandatory.

3. Extensions of the track deadlines may only be granted by the Presiding Judge or Chief Judge for Administrative Purposes, for good cause shown by way of motion in open court.
4. Motions on dispositive issues shall be filed with the Clerk of Court, served on opposing counsel and scheduled for oral argument no later than 30 days prior to the tracking deadline. Issues developing within 30 days of the tracking deadline should immediately be brought before the court.
5. At least seven days prior to each term of court the Solicitor shall prepare and publish a docket of all cases subject to being called in that term of court. Publication shall be effected by making the docket available in the office of the Clerk of Court located in the Union Courthouse. The Clerk of Court shall also distribute the docket to those attorneys listed via U.S. Mail, or in the alternative via facsimile machine. It shall be the responsibility of all attorney's with clients on this docket to notify their clients that their case is scheduled for disposition.

AND IT IS SO ORDERED.


THE HON. JOHN C. HAYES, III
CHIEF ADMINISTRATIVE JUDGE
16TH JUDICIAL CIRCUIT #4

THIS 30th DAY OF DECEMBER, 1996
YORK, SOUTH CAROLINA

J. JUNE H. MILLER, CLERK OF COURT, UNION COUNTY, SOUTH CAROLINA, DO HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL ON FILE AT THIS OFFICE
1-8 19 97 
CLERK OF COURT

signed 12-27-2000

STATE OF SOUTH CAROLINA)
)
 COUNTY OF YORK)
)
 STATE OF SOUTH CAROLINA,)
)
)
)
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IN THE COURT OF GENERAL SESSIONS

AMENDED ADMINISTRATIVE ORDER

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Pursuant to the authority vested in this Court by the attached Administrative Order (Attachment "A") signed by The Honorable Chief Justice Jean Toal of the South Carolina Supreme Court, the following Administrative Order is hereby adopted by this Court for the County of York.

This Court hereby declares and orders that all General Sessions cases arising after December 31, 2000 will be processed through the Court under the principles of the system known as Differentiated Case Management. In accordance with the requirements of this system the following rules are hereby adopted.

The Court hereby directs that in each General Sessions case arising before the various Magistrates and Municipal Court of this County, the following will be done:

1. BOND HEARING

1. Magistrates and Municipal Judges are required to transmit warrants to the Clerk of Court within 15 days as required by Rule 3(a) of the South Carolina Rules of Criminal Procedure.
2. At the time of their bond hearing all defendants shall be screened by the Magistrate or Municipal Judge to determine if they qualify for appointment of counsel. Such screening will be done in a manner as prescribed by the Clerk of Court.
3. The defendant shall be served with a Notice of Initial Appearance at the time of the bond hearing. The defendant's attendance at the initial appearance shall be made a condition of the defendant's bond by noting such in Section III of a Personal Recognize Bond Form or Section D of a Surety Bond Form. At the time of the setting of the Initial Appearance date the Magistrate or Municipal Judge shall inform the defendant in writing and orally of his right to a Preliminary Hearing. Should a hearing be desired, it will be scheduled at the Initial Appearance. The date of the Initial Appearance shall be assigned

[Handwritten initials]

in accordance with the schedule prepared and disseminated by the Solicitor's Office.

II. INITIAL APPEARANCE

1. The Initial Appearance will be held at the Moss Justice Center. Roll call will be conducted as necessary to ensure attendance. The Clerk is authorized to issue a bench warrant for those defendants who fail to appear and have not been excused by the solicitor.
2. There shall be no continuances of Initial Appearances
3. A preliminary hearing, if desired, must be requested in writing on or before the initial appearance date.
4. The issue of legal representation shall be addressed at the Initial Appearance.
 - a. If a defendant qualifies for Court appointed counsel and has not retained private counsel the Public Defender shall continue to represent the defendant.
 - b. If a defendant qualifies for a Public Defender but has retained private counsel prior to the Initial Appearance date then that attorney must file a general notice of representation with the Clerk of Court and serve a copy on the Solicitor. The Public Defender shall be relieved of representation at that time.
 - c. If a defendant did not qualify for a Public Defender, and private counsel has been retained, then a letter of representation must be filed pursuant to the requirements of this Court's Administrative Order dated July 12, 1995.
 - d. Unrepresented defendants may apply for a Public Defender at the Initial Appearance. Applications will be taken by the clerk and if approved, will be assigned that day.
 - e. Defendants who remain unrepresented at the Initial Appearance must appear on their Bond Returnable date and remain in Court throughout that term until excused by the Court. These defendants must appear for each successive term of Court as required by their bond until their

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case is disposed.

5. In all cases where the defendant is represented by the Public Defender the Public Defender shall assess the case at the Initial Appearance for possible conflicts of interest and resolve those conflicts readily identifiable on that date. The Clerk shall, upon Affidavit of Conflict, appoint the next attorney from the conflict list and advise the defendant as to the identity of their attorney. The newly appointed counsel shall also be notified on that date and a preliminary hearing automatically scheduled for the defendant.
6. In all cases where it is feasible to do so, the defendant and the State shall enter into negotiations concerning pleas and dispositional tracking. All offers tendered at the Initial Appearance must be accepted or rejected by the Thursday prior to that defendant's Bond Returnable date.
7. By the Initial Appearance the Solicitor shall provide discovery in all cases where the appropriate motions have been filed with the Clerk of Court.
8. All Law Enforcement Agencies are required to forward to the Solicitor's Office all existing case reports no later than one week prior to the Initial Appearance date.
9. At the Initial Appearance the case will be assigned to one of three dispositional tracks. These tracks will be 90, 120 and 150 days long respectively. Assignment of cases to a track will be the responsibility of the Solicitor's Office. The tracking decision of the Solicitor is subject to review by the Circuit Court upon motion of the defendant filed prior to the defendant's bond returnable date, and at other times for good cause shown by motion in open court. Murder cases will not fall within the guidelines of any track.

The length of the track in which a case is placed determines the deadline by which a case must be moved. The date is calculated from the Initial Appearance date or Bond Returnable date, whichever is earlier. Should the deadline fall in a non-court week, it will be extended until the end of the next term of Court.

III. PRELIMINARY HEARINGS

1. Preliminary hearings shall be held at the Moss Justice Center. The presiding magistrate shall be appointed by the Chief Magistrate.
2. The Solicitors Office shall represent the State at all centralized

preliminary hearings and notify all victims and witnesses as to the scheduling of said hearings.

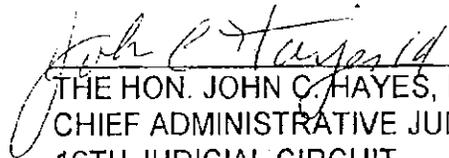
3. Continuances of preliminary hearings may not be granted for any reason.
4. The defendant or their attorney must be present to be given a preliminary hearing. If one has been requested in a case involving an individual affiant then the failure of the affiant to appear and give testimony will result in the dismissal of the warrant regardless of the defendant's presence.
5. This section of the administrative order (Section III) shall remain in effect as long as law enforcement resources continue to allow the provisions contained herein to be carried out. Should it become impractical to conduct preliminary hearings in the manner outlined in this section the Solicitor may void the requirements of this section of the order by applying to one of the resident judges for a modification to this order. Such action, if approved, would only void this section of the order.

IV. GENERAL SESSIONS COURT PRACTICE

1. The Solicitor's Office will, on the 1st and 15th of each month, provide the Chief Administrative Judge a list of all pending cases within 30 days of their track deadlines.
2. Presiding Judges will be available from 9:00 - 9:30 on Tuesdays through Fridays of General Sessions Court terms to hold case status conferences with attorneys for the state and the defense. Conferences may be requested by either party and once scheduled, appearance is mandatory.
3. At least seven days prior to each term of court the Solicitor shall prepare and publish a docket of all cases subject to being called in that term of court. Publication shall be effected by making the docket available in the office of the Clerk of Court located in the Moss Justice Center. The Clerk of Court shall also distribute the docket to those attorneys listed via U.S. Mail, or in the alternative via facsimile machine. It shall be the responsibility of all attorney's with clients on this docket to notify their clients that their case is scheduled for disposition.

JEH/A

AND IT IS SO ORDERED.


THE HON. JOHN C. HAYES, III
CHIEF ADMINISTRATIVE JUDGE
16TH JUDICIAL CIRCUIT

THIS 27th DAY OF December, 2000
YORK, SOUTH CAROLINA

#5

**LISTING OF LAW ENFORCEMENT AGENCIES IN EACH JUDICIAL CIRCUIT CURRENTLY USING A CLOUD-BASED EVIDENCE DATABASE
(with additional information requested by the Legislative Oversight Subcommittee)**

Circuit	County	LEA	Year LEA began Using Cloud-Based Database	Upfront Cost for LEA to Use Cloud-Based Database	Annual Cost for LEA to Use Cloud-Based Database	Does LEA believe use of CBD has made transfer of evidence easier and/or more efficient?	Comments
1	Calhoun	n/a					
	Dorchester	Summerville Police Department	Unknown	Unknown	Unknown	Unknown	Summerville PD is using cloud based technology to send some reports and videos to the Solicitor's Office. It is not efficient for us, because the Solicitor's Office then has to transfer the data to disc (or some other form) to send as discovery to the defense.
	Orangeburg	n/a					
2	Aiken	2nd Circuit Solicitor	2016	N/A	N/A	Yes	Uses ProDocs
		Aiken County Sheriff's Office	2016	N/A	N/A	Unknown	Uses ProDocs
		Aiken Public Safety	2016	N/A	N/A	Unknown	Uses ProDocs
		Burnettown Police Department	2016	N/A	N/A	Unknown	Uses ProDocs
		North Augusta Public Safety	2016	N/A	N/A	Unknown	Uses ProDocs
		Salley Police Department	2016	N/A	N/A	Unknown	Uses ProDocs
	Aiken/Barnwell	Centerra (SRS)	2016	N/A	N/A	Unknown	Uses ProDocs
	Bamberg	Bamberg County Sheriff's Office	2018	N/A	N/A	Unknown	Uses ProDocs
		Bamberg Police Department	2018	N/A	N/A	Unknown	Uses ProDocs
		Denmark Police Department	2018	N/A	N/A	Unknown	Uses ProDocs
		Denmark Tech. Police Department	2018	N/A	N/A	Unknown	Uses ProDocs
Ehrhardt Police Department		2018	N/A	N/A	Unknown	Uses ProDocs	
	Olar Police Department	2018	N/A	N/A	Unknown	Uses ProDocs	

**LISTING OF LAW ENFORCEMENT AGENCIES IN EACH JUDICIAL CIRCUIT CURRENTLY USING A CLOUD-BASED EVIDENCE DATABASE
(with additional information requested by the Legislative Oversight Subcommittee)**

Circuit	County	LEA	Year LEA began Using Cloud-Based Database	Upfront Cost for LEA to Use Cloud-Based Database	Annual Cost for LEA to Use Cloud-Based Database	Does LEA believe use of CBD has made transfer of evidence easier and/or more efficient?	Comments
	Barnwell	Barnwell Sheriff's Office	2018	N/A	N/A	Unknown	Uses ProDocs
		Barnwell Police Department	2018	N/A	N/A	Unknown	Uses ProDocs
		Blackville Police Department	2018	N/A	N/A	Unknown	Uses ProDocs
		Williston Police Department	2018	N/A	N/A	Unknown	Uses ProDocs
	Circuit-Wide	S.C. DJJ	2016	N/A	N/A	Unknown	Uses ProDocs
		S.C. Attorney General	2016	N/A	N/A	Unknown	Uses ProDocs
		S.C. Dept. of Mental Health	2016	N/A	N/A	Unknown	Uses ProDocs
		S.C.D.P.S. (SCHP)	2016	N/A	N/A	Unknown	Uses ProDocs
		SLED	2016	N/A	N/A	Unknown	Uses ProDocs
3	Clarendon	n/a				Solicitor: None of our four counties' law enforcement agencies utilize a cloud based database. This situation causes delay in receiving reports and does not allow efficient sharing of case file information.	
	Lee	n/a					
	Sumter	n/a					
	Williamsburg	n/a					
4	Chesterfield	Chesterfield County Sheriff	2017	N/A	N/A	Yes	Uses the sync tool only – provided through the Solicitor's Office to upload case files (notes, videos, etc.) BWC videos are stored on external hard drives in evidence locker
		Cheraw Police Department	2017				Evidence.com
		Chesterfield Police Department	2017				Evidence.com
	Darlington	Darlington Police Department	2017	3-year contract	Estimated \$4000	Yes	Axon – Offsite (BWC Videos Only) *can share videos with shared partners

**LISTING OF LAW ENFORCEMENT AGENCIES IN EACH JUDICIAL CIRCUIT CURRENTLY USING A CLOUD-BASED EVIDENCE DATABASE
(with additional information requested by the Legislative Oversight Subcommittee)**

Circuit	County	LEA	Year LEA began Using Cloud-Based Database	Upfront Cost for LEA to Use Cloud-Based Database	Annual Cost for LEA to Use Cloud-Based Database	Does LEA believe use of CBD has made transfer of evidence easier and/or more efficient?	Comments
		Hartsville Police Department	2017	5-year contract	Estimated \$3000	Yes	Axon – Offsite *Set up originally to send evidence directly from cloud- based storage. Ran into issues – chain of custody issues / evidence regulations
	Marlboro	n/a					
	Dillon	Dillon County Sheriff	2018	\$3700	\$3500	Yes	*On-Site & Offsite; migrating from PMI Evidence Track/Fluid to a cloud base storage program; SAFE. Transfer should be completed by October 2018
5	Kershaw	Kershaw County Sheriff	2014	\$56,331.00	\$10,781.04	Yes	This database is user friendly
		Camden Police Department	2017	\$27,000	\$4,800	Not efficient for individual officer.	
	Richland	Midlands Tech Police	2016	12,000.00	4,000.00	Yes, evidence.com/Axon is very helpful and easy to use.	Overall we have been very pleased with the services.
		Probation, Parole, and Pardon	2018	N/A – Free during testing period.	N/A – Free during testing period.	Still in Pilot	Final decision regarding full agency implementation has not been made at this time (8/2/2018).
		Richland County Sheriff	2017	\$336,140	\$418,668	The cloud based database has without a doubt made the transfer and sharing of video evidence more efficient, saving man hours and funds.	Our experience with cloud based data sharing and storage has been exceptional. One of the main reasons is because we are able to access and share the information from a remote locations (to include mobile devices, tablets or laptops at any hour of day). This can lead to not only efficiency but also in situations of officer involved incidents and the safety of the

**LISTING OF LAW ENFORCEMENT AGENCIES IN EACH JUDICIAL CIRCUIT CURRENTLY USING A CLOUD-BASED EVIDENCE DATABASE
(with additional information requested by the Legislative Oversight Subcommittee)**

Circuit	County	LEA	Year LEA began Using Cloud-Based Database	Upfront Cost for LEA to Use Cloud-Based Database	Annual Cost for LEA to Use Cloud-Based Database	Does LEA believe use of CBD has made transfer of evidence easier and/or more efficient?	Comments
							community we can access the data immediately.
6	Chester	Great Falls Police Department	n/a				Does not use cloud-based storage.
		Chester City Police Department	2016	Currently uses server storage (WatchGuard Digital Body and In Car Camera Systems), which was purchased in 2016 for \$71,200.00.	The dedicated server is at half-capacity, and they may have to spend \$5,000 to \$9,000 in the next 3 years on an additional server. Although Cloud-Share storage is included in this price, any additional web-based evidence storage will incur additional fees once their 3 year contact (which they		

**LISTING OF LAW ENFORCEMENT AGENCIES IN EACH JUDICIAL CIRCUIT CURRENTLY USING A CLOUD-BASED EVIDENCE DATABASE
(with additional information requested by the Legislative Oversight Subcommittee)**

Circuit	County	LEA	Year LEA began Using Cloud-Based Database	Upfront Cost for LEA to Use Cloud-Based Database	Annual Cost for LEA to Use Cloud-Based Database	Does LEA believe use of CBD has made transfer of evidence easier and/or more efficient?	Comments
					<p>began in 2016) has expired. The Dept also anticipates additional costs in the future for new 4RE Systems for additional vehicles in the future (charge of \$2,500 per vehicle to include setup, training and configuration) as well as costs for Vista Body Cameras to be replaced in the future once the 3 year warranty has expired.</p>		
		Chester County Sheriff's Department		Yearly contract with			

**LISTING OF LAW ENFORCEMENT AGENCIES IN EACH JUDICIAL CIRCUIT CURRENTLY USING A CLOUD-BASED EVIDENCE DATABASE
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Circuit	County	LEA	Year LEA began Using Cloud-Based Database	Upfront Cost for LEA to Use Cloud-Based Database	Annual Cost for LEA to Use Cloud-Based Database	Does LEA believe use of CBD has made transfer of evidence easier and/or more efficient?	Comments
				Axon Enterprise for \$62,946.72. This contract includes unlimited warrant with overnight replacement for body cameras, unlimited cloud storage for video, 60 user licenses for web access, unlimited partner agency access and 5 year equipment refresh/update.			
	Lancaster	n/a					
	Fairfield	Fairfield County Sheriff's Office	2014	0	0	See comment.	Not regularly used.
		Winnsboro Dept. of Public Safety	2017	\$23,000 (\$16,000)	\$10,000	Yes	Only used for body cameras.

**LISTING OF LAW ENFORCEMENT AGENCIES IN EACH JUDICIAL CIRCUIT CURRENTLY USING A CLOUD-BASED EVIDENCE DATABASE
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Circuit	County	LEA	Year LEA began Using Cloud-Based Database	Upfront Cost for LEA to Use Cloud-Based Database	Annual Cost for LEA to Use Cloud-Based Database	Does LEA believe use of CBD has made transfer of evidence easier and/or more efficient?	Comments
				covered by grant)			
7	Cherokee	n/a					
	Spartanburg	Wellford Police Department	2016	\$9500	\$4500	Yes	Need for funding from the state to maintain the cost of the cloud base database.
		Spartanburg Police Department	2010	\$236,787	\$124,280	Yes	
		Spartanburg Sheriff's Office	2014	\$95,456.30	\$45,718	Yes	
8	Abbeville						
	Greenwood						
	Laurens						
	Newberry						
9	Berkeley	n/a					
	Charleston	Charleston County Solicitor's Office	2017 (construction of system began in 2016)	\$275,000 Hardware + \$65,000 Software = Total initial cost \$340,000	\$15,000 Yearly Maintenance Cost Software. Will need to add additional hardware storage as needed the cloud developed by	Yes cloud-based storage and software this has improved the initial transfer of case information to the Solicitor's Office and reduced the time in receiving initial discovery/evidence. We have reduced the need for hard disc previous used for in-car video, body worn camera video, as well as other video and audio evidence with the agencies	Solicitor: The Charleston County Solicitor's Office is currently receiving cloud-based discovery/evidence from 9 different local Law Enforcement Agencies in Charleston County area. We will be expanding this project later this year to adding additional Law Enforcement Agencies from the local area. In addition to receiving the discover/evidence through our current cloud-based system we can use the current system to make this same discovery/evidence, as well as

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Circuit	County	LEA	Year LEA began Using Cloud-Based Database	Upfront Cost for LEA to Use Cloud-Based Database	Annual Cost for LEA to Use Cloud-Based Database	Does LEA believe use of CBD has made transfer of evidence easier and/or more efficient?	Comments
					<p>Charleston County IT. Cost for additional hardware storage will be determined by the vendor a time of purchase and by the amount of storage needed at time of purchase.</p>	<p>currently using the system. We are still working out some of the challenges associated with the various video players and files types when trying to play these items through CJIS compliant web based cloud-based application.</p> <p>Just beginning the second year using this new cloud based discovery/evidence project; currently making some major software enhancements. These new enhancements to the current product will make the product more user friendly for Law Enforcement, Prosecutor's, Defense Counsel and Staff. It will allow LE to upload discovery/evidence faster and all information will be arranged in an organized file structure. This new file structure will allow video files to if arranged in a single central file allowing them to be downloaded to a PC an played, or in some</p>	<p>redacted copies of this discovery/evidence, available to defense counsel, expert witness, or other parties as needed.</p>

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Circuit	County	LEA	Year LEA began Using Cloud-Based Database	Upfront Cost for LEA to Use Cloud-Based Database	Annual Cost for LEA to Use Cloud-Based Database	Does LEA believe use of CBD has made transfer of evidence easier and/or more efficient?	Comments
							cases played within the cloud-based program.
10	Anderson	Pendleton Police Department	2016	\$12,000 (+/-)	\$8,000 (+/-)		Only used for body cameras (Axon-Evidence.com).
	Oconee	Oconee Sheriff's Department	2013	\$46,635	Just under \$20,000, but about to increase	Yes	Extremely secure and provides more storage than they could ever have afforded.
		Seneca Police Department	June 2016	\$38,889	\$32,076	Yes	Only used for body cameras (Axon-Evidence.com).
11	Edgefield	n/a					
	Lexington	Lexington County Sheriff's Department	2017	\$68,000 (For approximately 60 users) To be fully compliant with the statutory mandate, LCSD will need to outfit approximately 225 total users at an additional cost of approximately \$215,000.00.	Current annual cost for 60 users is approximately \$61,000.00. LCSD plans to add another 120 users this year bringing their expected annual cost after this year to \$200,000.00.	Yes	Solicitor: Quality, secure cloud storage is not inexpensive. However, when the LCSD analyzes the ongoing costs of ever increasing storage demands over time and the necessary additional security, backup, maintenance and support costs to support a local storage solution, it quickly becomes evident neither option is inexpensive. Cloud-based storage through the LCSD's chosen vendor allows remarkably cost-effective scalable storage that meets our security requirements while allowing convenient sharing and accountability of the evidence. Solicitor: The method of how the other law enforcement agencies in

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Circuit	County	LEA	Year LEA began Using Cloud-Based Database	Upfront Cost for LEA to Use Cloud-Based Database	Annual Cost for LEA to Use Cloud-Based Database	Does LEA believe use of CBD has made transfer of evidence easier and/or more efficient?	Comments
							Lexington County store their electronic evidence is unknown.
	McCormick	n/a					Solicitor: The method of how law enforcement agencies in McCormick County store their electronic evidence is unknown.
	Saluda	n/a					Solicitor: The method of how law enforcement agencies in Saluda County store their electronic evidence is unknown.
12	Florence						
	Marion						
13	Greenville	Greenville Police Department	2017	None. Cloud storage is part of BWC contract. All upfront costs are directly related to BWC program equipment and setup.	\$156,570.48 \$147,470 + 6% tax	Upload and sharing procedures have aided in both collection and sharing of digital evidence.	Costs and fees listed are broken out of the overall Officer Safety Program Contract. The listed costs are for Unlimited Storage. Evidence. Com Annual licenses (for full functionality and management). Total BWC program costs exceeds \$230,000/yr including cloud solution and applicable taxes.
	Pickens	n/a					
14	Allendale	Allendale County Sheriff's Office	2017	\$0	\$0	No response	
		Fairfax Police Department	2017	\$0	\$0	No response	

**LISTING OF LAW ENFORCEMENT AGENCIES IN EACH JUDICIAL CIRCUIT CURRENTLY USING A CLOUD-BASED EVIDENCE DATABASE
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		Allendale Police Department	2017	\$0	\$0	Yes	
	Beaufort	Port Royal Police Department	2017	\$0	\$0	Yes	The SYNC app is a great asset as typical video uploads will kick you out of evidence.com due to time issues.
		Beaufort Police Department	2017	\$0	\$0	Yes	Overall yes, but uploading larger pieces of evidence can be timely and depends greatly on format.
		Bluffton Police Department	2017	\$0	\$0	Yes	Overall it's much easier. The only downside is that it takes a long time to upload videos.
	Colleton	Colleton County Sheriff's Office	2017	\$0	\$0	Yes	Uploading L3 videos can be timely, but overall the system has been very helpful.
		Walterboro Police Department	2017	\$0	\$0	Yes	
	Hampton	Hampton County Sheriff's Office	2017	\$0	\$0	Yes	
		Yemassee Police Department	2017	\$0	\$0	Yes	It would be helpful if each department had more than one log in, so that if a person is at training or out of pocket someone else could also upload.
		Estill Police Department	2017	\$0	\$0	Yes	Also have Evidence.com for bodycams. LEA: The solicitor's Office purchased a license for our agency and has provided this system to our agency free of charge. We have incurred no additional costs and/or expense by using Evidence.com. Since we began using this system, we

**LISTING OF LAW ENFORCEMENT AGENCIES IN EACH JUDICIAL CIRCUIT CURRENTLY USING A CLOUD-BASED EVIDENCE DATABASE
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							have experienced very few problems and the transition has been seamless.
		Hampton Police Department	2017	\$0	\$0	No	Our department of 12 full-time officers does not have the resources to upload every piece of evidence. It generally falls on one person. Evidence.com is cumbersome and could be streamlined. Our internet is only 10 MBs and uploading L3 videos can take a day or longer.
	Jasper	Jasper County Sheriff's Office	2017	\$0	\$0	Yes	Also have Evidence.com for bodycams
		Ridgeland Police Department	2017	\$0	\$0	Yes	Also have Evidence.com for bodycams
	Circuit-Wide	S.C. State Law Enforcement Division	2017	\$0	\$0	Yes	It is easier on the individual Agents not having to deliver the Investigative Reports to the Solicitor; however, in the cases that have many dvds and/or cds, it takes a long time for me to upload them into the program. I have had to leave it uploading overnight on several occasions because it indicated it would take, for example, 15+ hours to upload the videos. It is a time consuming process uploading some reports to Evidence.com.
		S.C. Highway Patrol	2017	\$0	\$0	No	It is much less efficient. I spend hours uploading information and this can only be done from the solicitor's office due to the amount of data to be uploaded and upload speeds in

**LISTING OF LAW ENFORCEMENT AGENCIES IN EACH JUDICIAL CIRCUIT CURRENTLY USING A CLOUD-BASED EVIDENCE DATABASE
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							Colleton county, per First Sgt. Chad Pearson.
		14th Circuit Solicitor's Office	2017	\$13,000	\$13,999	Yes	Licenses, storage fees and training have been provided to all law enforcement agencies in the 14th Circuit through a contract negotiated by the Solicitor's Office. It will continue to pay these fees going forward so that law enforcement incurs no costs for this service. Only the Beaufort County Sheriff's Office has declined to participate and still manually delivers digital evidence by discs, which have to be burned by their office and uploaded again once delivered to our office.
15	Horry	Atlantic Beach Police Department	2018				Solicitor: Using free year long trial; has not shared a case with Solicitor's Office.
		Horry County Detention Center	2018				Solicitor: Has not shared a case with Solicitor's Office.
		Horry County Sheriff's Department	2018				Solicitor: Has not shared a case with Solicitor's Office.
		15th Circuit Drug Enforcement Unit – Horry County	October 2017	Basic account – \$180 Pro account – \$468	Costs for the accounts are annually	Yes	
		Coastal Carolina University Department of Public Safety	June 2018	Basic account – \$180	Costs for the accounts are annually	Yes	

**LISTING OF LAW ENFORCEMENT AGENCIES IN EACH JUDICIAL CIRCUIT CURRENTLY USING A CLOUD-BASED EVIDENCE DATABASE
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				Pro account – \$468			
		Conway Police Department	January 2018	Basic account – \$180 Pro account – \$468	Costs for the accounts are annually	Yes	
		Horry County Police Department	December 2017	Basic account – \$180 Pro account – \$468	Costs for the accounts are annually	Yes	
		Loris Police Department	March 2018	Basic account – \$180 Pro account – \$468	Costs for the accounts are annually	Yes	
		Myrtle Beach Police Department	May 2018	Basic account – \$180 Pro account – \$468	Costs for the accounts are annually	Yes	
		North Myrtle Beach Police Department of Public Safety	July 2018	Basic account – \$180 Pro account – \$468	Costs for the accounts are annually	Yes	
		Surfside Beach Police Department	May 2018	Basic account – \$180 Pro account – \$468	Costs for the accounts are annually	Yes	

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	Georgetown	Georgetown County Sheriff's Office	June 2018	Basic account – \$180 Pro account – \$468	Costs for the accounts are annually	Yes	
		15 th Circuit Drug Enforcement Unit – Georgetown County	June 2018	Basic account – \$180 Pro account – \$468	Costs for the accounts are annually	Yes	
16	Union	n/a					
	York	Rock Hill Police Department	2016	\$0.00	\$143,000	Yes	
		York Police Department	2017	\$38,000	\$27,500	Yes	Sharing Videos is much easier now than it has ever been.

INFORMATION ON COST AND RECIDIVISM RATES FOR DRUG COURTS, AND RECIDIVISM RATES FOR OTHER DIVERSION PROGRAMS
 (Chart only lists those Counties within the 16 Judicial Circuits which have a Drug Court diversion program)

Circuit	County(ies) in which Drug Court Program Operated		Comparison of Costs Associated with Drug Court to Costs Associated with “Regular Prosecution Track”	Recidivism Rate of Successful Drug Court Participants	Recidivism Rate of Successful Participants in Other Diversion Programs	Comments
1	Calhoun	Juvenile Drug Court	Unknown	Unknown	Unknown	
	Dorchester	Drug Court (Adult)	Unknown	Unknown	Unknown	
	Orangeburg	Juvenile Drug Court	Unknown	Unknown	Unknown	
2	Aiken	Drug Court (Adult)	Unknown	Unknown	Unknown	The Solicitor’s Office does not track recidivism rates for drug court participants because of the lack of resources to individually monitor the participants long-term following their participation in the program. In addition, there is some concern about how recidivism is to be defined. How long a period (or periods) out should each participant be tracked? Should rates include subsequent arrests or only convictions resulting from subsequent arrests? Should the rates include all participants, or only those people that successfully completed the program? While the Solicitor’s Office does not currently track the successful graduates from the program once they leave, the individual responding for the Office is only aware of two people being arrested <i>in the Second Judicial Circuit</i> after completing the program (no knowledge of
	Bamberg	Drug Court (Adult)	Unknown	Unknown	Unknown	
	Barnwell	Drug Court (Adult)	Unknown	Unknown	Unknown	

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						whether any successful drug court participants have been arrested outside of the Second Judicial Circuit).
3	Clarendon	Drug Court (Adult)	Unknown	Unknown	Unknown	Recidivism is not tracked for any diversion programs.
	Lee	Drug Court (Adult)	Unknown	Unknown	Unknown	
	Sumter	Drug Court (Adult)	Unknown	Unknown	Unknown	
	Williamsburg	Drug Court (Adult)	Unknown	Unknown	Unknown	
4	Chesterfield	Drug Court (Adult)	Based on the most current figures available (FY16-17), the State spends an average of \$19,935 per year for each incarcerated inmate. Using this figure, the cost of incarcerating 40 inmates for a year would cost the State \$797,400. In comparison, the approximate cost of operating a drug court and serving 40 participants for one year is \$292,700.	26.6%	Do not track recidivism rates for other diversion programs.	The recidivism rate is not calculated by county. calculated in the Fourth Judicial Circuit, but circuit-wide since some participants transfer to another county for treatment.
	Marlboro	Drug Court (Adult)				
5	Kershaw	Juvenile Drug Court	The Fifth Judicial Circuit Solicitor’s Office spent \$877, 528.93 on its drug courts in FY 20__/_ and served ___ participants. The costs includes staff salaries & fringe of \$643,731.03; Judges	Unknown	Unknown	Recidivism is not tracked for any diversion programs (insufficient resources to do so).
		Drug Court (Adult)		Unknown	Unknown	

INFORMATION ON COST AND RECIDIVISM RATES FOR DRUG COURTS, AND RECIDIVISM RATES FOR OTHER DIVERSION PROGRAMS
(Chart only lists those Counties within the 16 Judicial Circuits which have a Drug Court diversion program)

Circuit	County(ies) in which Drug Court Program Operated	Comparison of Costs Associated with Drug Court to Costs Associated with “Regular Prosecution Track”	Recidivism Rate of Successful Drug Court Participants	Recidivism Rate of Successful Participants in Other Diversion Programs	Comments	
	Richland	Juvenile Drug Court	\$72,499.92; drug tests \$72,875.00; office Space, etc.: \$52,550.38; contractual services (Alpha Center-Kershaw County): \$10,750.00; and other operating costs: \$25,122.60.	Unknown	Unknown	
		Drug Court (Adult)		Unknown	Unknown	
6	Chester	Juvenile Drug Court	Unknown	Unknown	Unknown	The Solicitor’s Office does not track recidivism with PTI, TEP or any other adult diversion programs, but its staff reports that it is very rare that they see who has successfully completed a diversion program in the Office come through with new charges. However, apart from periodically running a new NCIC criminal history on graduates, the Solicitor’s Office is unsure of how they could track reoffending stats unless a participant reoffends in the same county and staff noticed it. The Adult Drug Court program has only been in place for the last 10 months. While the Office does not yet track graduates, the last stage (the 5 th phase) of the program does involve tracking
		Drug Court (Adult)	Unknown	Unknown	Unknown	
	Lancaster	Juvenile Drug Court	Unknown	Unknown	Unknown	

INFORMATION ON COST AND RECIDIVISM RATES FOR DRUG COURTS, AND RECIDIVISM RATES FOR OTHER DIVERSION PROGRAMS
 (Chart only lists those Counties within the 16 Judicial Circuits which have a Drug Court diversion program)

Circuit	County(ies) in which Drug Court Program Operated		Comparison of Costs Associated with Drug Court to Costs Associated with “Regular Prosecution Track”	Recidivism Rate of Successful Drug Court Participants	Recidivism Rate of Successful Participants in Other Diversion Programs	Comments
		Drug Court (Adult)	Unknown	Unknown	Unknown	graduates for a year to ensure they do not reoffend or slip back into using drugs (they are randomly drug-tested for a year after graduation). It takes a drug court participant a minimum of 18 months in the program before they reach the last stage/5 th phase. (The Solicitor’s Office has only had the program for 10 months, and does not yet have anyone who has reached Stage 5/the final phase yet.) As for Juvenile Drug Court program, the Office does not track recidivism. However, if it did, it would only be up until the juvenile turned 17.
	Fairfield	Juvenile Drug Court	Unknown	Unknown	Unknown	
		Drug Court (Adult)	Unknown	Unknown	Unknown	
7	Cherokee	Drug Court (Adult)	Unknown	Unknown	Unknown	
	Spartanburg	Drug Court (Adult)	Unknown	Unknown	Unknown	
8	Abbeville	Drug Court (Adult)	Unknown	Unknown	Unknown	
	Greenwood	Drug Court (Adult)	Unknown	Unknown	Unknown	
	Laurens	Drug Court (Adult)	Unknown	Unknown	Unknown	
	Newberry	Drug Court (Adult)	Unknown	Unknown	Unknown	
9	Berkeley	Juvenile Drug Court			The Solicitor’s Office tracks recidivism rates (by both arrests and convictions within the Ninth Judicial Circuit after	

INFORMATION ON COST AND RECIDIVISM RATES FOR DRUG COURTS, AND RECIDIVISM RATES FOR OTHER DIVERSION PROGRAMS
 (Chart only lists those Counties within the 16 Judicial Circuits which have a Drug Court diversion program)

Circuit	County(ies) in which Drug Court Program Operated		Comparison of Costs Associated with Drug Court to Costs Associated with “Regular Prosecution Track”	Recidivism Rate of Successful Drug Court Participants	Recidivism Rate of Successful Participants in Other Diversion Programs	Comments
		Drug Court (Adult)	The total revenue for the Berkeley County Adult Drug Court is \$52,301 (state support - \$37,307, and client fees - \$15,000), and the total expenses ó not including judge, solicitor, public defender, deputy sheriff, financial officer, etc. salaries and benefits ó is \$52,301 (40% of the coordinator’s salary - \$31,441; drug tests - \$18,000; mileage - \$1,500; training - \$860; and office expenses - \$500).		Program completion) for its Berkeley PTI Program going back to at least FY 2010. For FY2017, 248 persons successfully completed PTI. Of those 248, only 6 have been rearrested (but only 1 has been convicted). For FY 2010, 410 persons successfully completed PTI. Of those 410, only 28 have been rearrested (but only 26 have been convicted).	
	Charleston	Juvenile Drug Court	The total revenue for the Charleston County Adult Drug Court is \$26,750 (state support - \$26,750), and the total expenses ó not including judge, solicitor, public defender, deputy sheriff, financial officer, etc. salaries and benefits ó is \$26,750 (drug tests - \$15,000; training - \$6,250; transportation - \$5,000; and office expenses - \$500).			
		Drug Court (Adult)	The total revenue for the Charleston County Adult			

INFORMATION ON COST AND RECIDIVISM RATES FOR DRUG COURTS, AND RECIDIVISM RATES FOR OTHER DIVERSION PROGRAMS
 (Chart only lists those Counties within the 16 Judicial Circuits which have a Drug Court diversion program)

Circuit	County(ies) in which Drug Court Program Operated		Comparison of Costs Associated with Drug Court to Costs Associated with “Regular Prosecution Track”	Recidivism Rate of Successful Drug Court Participants	Recidivism Rate of Successful Participants in Other Diversion Programs	Comments
			Drug Court is \$221,502 (county support - \$101,027; state support - \$95,475; and client fees - \$25,000), and the total expenses ó not including judge, solicitor, public defender, deputy sheriff, financial officer, etc. salaries and benefits ó is \$221,502 (60% of the coordinatorø salary - \$47,162; counselors - \$135,440; drug tests - \$31,000; training - \$7,000; office expenses - \$500; and dues - \$500).			
10	Anderson	Drug Court (Adult)	Unknown	Unknown	Unknown	The Solicitorø Office does not have a method of tracking recidivism in drug court or other diversion programs.
	Oconee	Drug Court (Adult)	Unknown	Unknown	Unknown	
11	Edgefield	Drug Court (Adult)	By bonding offenders into the program as soon as possible after their arrest and while they are incarcerated, the Solicitorø Officeø program saves the counties the expense of providing for the inmate at approximately \$58/day in our county jail.	Unknown	Unknown	While the Solicitorø Office is not currently tracking recidivism, it is working with the National Association of Drug Court Professionals to revitalize its drug court program. Their goal is not only to have the data necessary to track the progress of participants during and after the program, but to better meet their individual needs to ensure their life-long recovery.
	Lexington	Drug Court (Adult)		Unknown	Unknown	

INFORMATION ON COST AND RECIDIVISM RATES FOR DRUG COURTS, AND RECIDIVISM RATES FOR OTHER DIVERSION PROGRAMS
 (Chart only lists those Counties within the 16 Judicial Circuits which have a Drug Court diversion program)

Circuit	County(ies) in which Drug Court Program Operated		Comparison of Costs Associated with Drug Court to Costs Associated with “Regular Prosecution Track”	Recidivism Rate of Successful Drug Court Participants	Recidivism Rate of Successful Participants in Other Diversion Programs	Comments
	McCormick	Drug Court (Adult)		Unknown	Unknown	In regard to costs, drug testing and counseling begins immediately upon entry into the program, addressing the underlying cause of the offender’s criminal behavior. Most participants successfully complete the program, and although the Solicitor’s Office has not tracked the recidivism rate, it appears as if the vast majority have not reoffended, thereby reducing costs to the county, state, and victims for crimes that were not committed
	Saluda	Drug Court (Adult)		Unknown	Unknown	
12	Florence	Juvenile Drug Court	Cost to operate Adult and Juvenile Drug Court in 2017 was just over \$274,000.00. Of the 25 adult participants in 2017, 15 successfully completed. If we assign an average potential sentence exposure of 5 years for the 15 who successfully completed, we realize the potential cost of incarceration would have been \$299,025 based on SCDC annual cost of \$19,935 per inmate. Instead these participants not only avoided SCDC but were	20%	DUI Court: <ul style="list-style-type: none"> • Florence 18% • Marion: n/a (no cases) Juvenile Arbitration: <ul style="list-style-type: none"> • Florence 1.35% • Marion: 5.88% 	
		Drug Court (Adult)		17%		

INFORMATION ON COST AND RECIDIVISM RATES FOR DRUG COURTS, AND RECIDIVISM RATES FOR OTHER DIVERSION PROGRAMS
(Chart only lists those Counties within the 16 Judicial Circuits which have a Drug Court diversion program)

Circuit	County(ies) in which Drug Court Program Operated		Comparison of Costs Associated with Drug Court to Costs Associated with “Regular Prosecution Track”	Recidivism Rate of Successful Drug Court Participants	Recidivism Rate of Successful Participants in Other Diversion Programs	Comments
			employed full time while in Drug Court, paid taxes, paid child support, met other financial obligations and contributed to their communities and families. Juvenile Drug Court Successfully completed 4 participants of the 9 participants for 2017, allowing them to stay with their families and continue their education locally. JDC is cost effective considering DJJ cost of \$178.00per day for housing Juvenile Offenders.			
	Marion	Juvenile Drug Court	See above (Florence County)	25%		
		Drug Court (Adult)		25%		
13	Greenville	Juvenile Drug Court	Annual cost to operate Drug Court is \$285,591, and the average number of participants per year is 30 for a per participant cost of \$19,000.	Unknown	Unknown	The Solicitor’s Office does not maintain recidivism data for the Drugs Courts or any of the other diversion programs.
		Drug Court (Adult)	The cost per year to house 30 inmates is \$570,000 (almost double the cost of 30 persons going through drug court in that same time period).	Unknown	Unknown	

INFORMATION ON COST AND RECIDIVISM RATES FOR DRUG COURTS, AND RECIDIVISM RATES FOR OTHER DIVERSION PROGRAMS
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Circuit	County(ies) in which Drug Court Program Operated		Comparison of Costs Associated with Drug Court to Costs Associated with “Regular Prosecution Track”	Recidivism Rate of Successful Drug Court Participants	Recidivism Rate of Successful Participants in Other Diversion Programs	Comments																							
14	Beaufort	Juvenile Drug Court			Recidivism rates are not calculated for AEP, TEP, and Worthless Check programs. Rates for other programs are tracked by county (where offered) and circuit:																								
		Drug Court (Adult)					<table border="1"> <thead> <tr> <th>COUNTY</th> <th>PTI</th> <th>JA</th> <th>JPTI</th> </tr> </thead> <tbody> <tr> <td>Allen.</td> <td>NP</td> <td>0%</td> <td>NP</td> </tr> <tr> <td>Beau.</td> <td>14%</td> <td>47.2%</td> <td>38.3%</td> </tr> <tr> <td>Colle.</td> <td>29%</td> <td>43.8%</td> <td>42.3%</td> </tr> <tr> <td>Hamp.</td> <td>23%</td> <td>25%</td> <td>NP</td> </tr> <tr> <td>Jasper</td> <td>25%</td> <td>10%</td> <td>NP</td> </tr> <tr> <td>Circuitwide</td> <td>18%</td> <td>38.6%</td> <td>388%</td> </tr> </tbody> </table>	COUNTY	PTI	JA	JPTI	Allen.	NP	0%	NP	Beau.	14%	47.2%	38.3%	Colle.	29%	43.8%	42.3%	Hamp.	23%	25%	NP	Jasper	25%
COUNTY	PTI	JA	JPTI																										
Allen.	NP	0%	NP																										
Beau.	14%	47.2%	38.3%																										
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Hamp.	23%	25%	NP																										
Jasper	25%	10%	NP																										
Circuitwide	18%	38.6%	388%																										
15	Horry	Drug Court (Adult)	The Solicitor’s Office’s 2018-2019 budget for the drug court programs in the two Counties and mental health court in Horry County is \$525,077 (includes all salaries, fringes and operating costs). The Solicitor’s Office’s funding sources/amounts from the FY 2017/18 budget:	Recidivism Rates: 2013 Graduates (4-5 years out of program): 28%; and 2016 Graduates (1-2 years out of program): 15%	Mental Health Court (program started in 2015): 0%. PTI: <ul style="list-style-type: none"> • 2013 graduates: 10.3% • 2016 graduates: 8.6% 																								
	Georgetown	Drug Court (Adult)	<ul style="list-style-type: none"> • Client Fees: \$163,240.00 	Recidivism Rates:	PTI: <ul style="list-style-type: none"> • 2013 graduates: 13.5% • 2016 graduates: 9.6% 																								

INFORMATION ON COST AND RECIDIVISM RATES FOR DRUG COURTS, AND RECIDIVISM RATES FOR OTHER DIVERSION PROGRAMS
 (Chart only lists those Counties within the 16 Judicial Circuits which have a Drug Court diversion program)

Circuit	County(ies) in which Drug Court Program Operated		Comparison of Costs Associated with Drug Court to Costs Associated with "Regular Prosecution Track"	Recidivism Rate of Successful Drug Court Participants	Recidivism Rate of Successful Participants in Other Diversion Programs	Comments
			<ul style="list-style-type: none"> • Conditional Discharges and State Drug Court funding: \$216,243.00 • Horry County Government: \$80,000.00 (only cost to County) In 2017, the Solicitor's Office provided services to 173 clients through these three programs.	2013 Graduates (4-5 years out of program): 18%; and 2016 Graduates (1-2 years out of program): 0%		
16	York	Juvenile Drug Court Drug Court (Adult)	It costs \$19,935 per year (\$54.47 per day) to house one inmate in SCDC as of 2016. It cost York County \$23,360 (\$64 per day) to house one inmate for one year. <ul style="list-style-type: none"> • 25 defendants would cost the state \$498,375 to house for one year. • 25 defendants would cost the County \$140,160 for six months. One year would cost \$584,000. For fiscal year 2017-2018, the Solicitor's Office received \$167,431 from the State for Drug Court	28%	York County: <ul style="list-style-type: none"> • AEP 6 13% • PTI 6 17% • TEP 6 34% Union County: <ul style="list-style-type: none"> • AEP 6 0 % • PTI 6 13% • TEP 6 0% 	The Solicitor's Office tracks the Drug Court participants' income earned and taxes paid while in the program. Drug Court participants paid \$160,174.45 in South Carolina income taxes for the last three years, which averages to \$53,391.39 per year paid to the State of South Carolina.

INFORMATION ON COST AND RECIDIVISM RATES FOR DRUG COURTS, AND RECIDIVISM RATES FOR OTHER DIVERSION PROGRAMS
 (Chart only lists those Counties within the 16 Judicial Circuits which have a Drug Court diversion program)

Circuit	County(ies) in which Drug Court Program Operated		Comparison of Costs Associated with Drug Court to Costs Associated with “Regular Prosecution Track”	Recidivism Rate of Successful Drug Court Participants	Recidivism Rate of Successful Participants in Other Diversion Programs	Comments
			and spent \$166,835, which means FY 2017/18 was the first year the County did not have to kick in extra funds.			

**SOLICITORS' DIVERSION PROGRAMS INFORMATION:
PRE-TRIAL INTERVENTION PROGRAMS SUMMARY**

A. Each Solicitor has discretion to establish an Pre-Trial Intervention Program (PTI). S.C. Code Ann. §17-22-30(A). PTI is under the direct supervision and control of the Solicitor's Office. §17-22-30(C).

B. Eligibility for PTI:

- A person may be considered for PTI if the person has not been previously accepted into PTI. §17-22-50 (A)(1).
- A person is eligible for PTI only where:
 - there is substantial likelihood that justice will be served if the offender is placed in an intervention program;
 - it is determined that the needs of the offender and the State can better be met outside the traditional criminal justice process;
 - it is apparent that the offender poses no threat to the community;
 - it appears that the offender is unlikely to be involved in further criminal activity;
 - the offender, in those cases where it is required, is likely to respond quickly to rehabilitative treatment; and
 - the offender has no significant history of prior delinquency or criminal activity. §17-22-60(1) – (6).
- The following crimes are **INELIGIBLE** for PTI (§17-22-50(A)(2) and/or listed statutes):

	Crime (S.C. Code Section)
1.	Detonating a Destructive Device Upon the Capitals Ground Resulting (§10-33-325(B)(1))
2.	Accessory Before the Fact to Commit a Violent Crime (§16-1-40)
3.	Attempt to Commit Violent Crime (§16-1-80)
4.	Murder (§16-3-10)
5.	Attempted Murder (§16-3-29)
6.	Voluntary Manslaughter (§16-3-50)
7.	Homicide by Child Abuse (§16-3-85(A)(1))
8.	Aiding and Abetting Homicide by Child Abuse (§16-3-85(A)(2))
9.	Inflicting Great Bodily Injury Upon a Child (§16-3-95(A))
10.	Allowing Great Bodily Injury to be Inflicted Upon a Child (§16-3-95(B))
11.	Assault and Battery by Mob, First Degree Resulting in Death (§16-3-210(B))
12.	Assault & Battery of a High and Aggravated Nature (§16-3-600(B))
13.	Spousal Sexual Battery (§16-3-615)
14.	Assault & Battery with Intent to Kill (§16-3-620)
15.	Criminal Sexual Conduct –1 st Degree (§16-3-652)
16.	Criminal Sexual Conduct –2 nd Degree (§16-3-653)

	Crime (S.C. Code Section)
17.	Criminal Sexual Conduct with Minor (1 st , 2 nd , and 3 rd degree) (§16-3-655)
18.	Assault with Intent to Commit CSC (1 st and 2 nd degree) (§16-3-656)
19.	Engaging Child for Sexual Performance (§16-3-810)
20.	Producing, Directing, or Promoting Sexual Performance by a Child (§16-3-820)
21.	Kidnapping (§16-3-910)
22.	Carjacking (§16-3-1075)
23.	Arson –1 st Degree (§16-11-110(A))
24.	Arson – 2 nd Degree (§16-11-110(B))
25.	Burglary – 1 st Degree (§16-11-311)
26.	Burglary – 2 nd Degree (§16-11-312(B))
27.	Armed Robbery (§16-11-330(A))
28.	Attempted Armed Robbery (§16-11-330(B))
29.	Lewd Act Upon a Child Under Sixteen (§16-15-140)
30.	Sexual Exploitation of a Minor First Degree (§16-15-395)
31.	Sexual Exploitation of a Minor Second Degree (§16-15-405)
32.	Promoting Prostitution of a Minor (§16-15-415)
33.	Participating in Prostitution of a Minor (§16-15-425)
34.	Blackmail (§16-17-0640)

	Crime (S.C. Code Section)
35.	Aggravated Voyeurism (§16-17-470(C))
36.	Detonating a Destructive Device Resulting in Death with Malice (§16-23-720)
37.	Detonating a Destructive Device Resulting in Death without Malice (§16-23-720(A)(2))
38.	CDV Offense, DV 3 rd Degree, Firearm and Ammunition Violations under 16-25-30; Violation of Order of Protection Issued under Chapter 4, Title 20 or by Court of Another State, Tribe or jurisdiction; or Trespass upon Grounds or Structure Of Domestic Violence Shelter if Previously Convicted of any Violation of Chapter 25, Title 16 (includes offenses of Criminal Domestic Violence; CDVHAN; 1 st , 2 nd , and 3 rd Degree DV; DVHAN; Firearm and Ammunition Violations under 16-25-30; Violation of Order of Protection Issued under Chapter 4, Title 20 or by Court of Another State, Tribe or jurisdiction; and Trespass upon Grounds or Structure Of Domestic Violence Shelter) or a Similar Offense in Another Jurisdiction (Title 16, Chapter 25)
39.	DV High and Aggravated Nature (DVHAN) (§16-25-65)
40.	DV – 1 st Degree (§16-25-20(B))
41.	DV – 2 nd Degree (§16-25-20(C))
42.	Taking a Hostage by an Inmate (§24-13-450)
43.	Abuse/Neglect of Vulnerable Adult Resulting in Death (§43-35-85 (F))
44.	Abuse/Neglect of Vulnerable Adult Great Bodily Injury (§43-35-85 (E))
45.	Drug Trafficking (§44-53-370(e))
46.	Drug Trafficking (§44-53-375(C))
47.	Resisting Arrest by the Use of Force, Violence, or Weapons Against an Employee of the Department While Engaged in His Duties, a Law Enforcement Officer Aiding in the Work of the Department, or a Federally Commissioned Employee Engaged in Like or Similar Employment Injury (§50-9-1120(1)(a))
48.	Night Hunting Deer or Bear (§50-9-1120(2)(b))

	Crime (S.C. Code Section)
49.	Killing or Possessing Wild Turkey During the Closed Season (§50-9-1120(2)(i)1)
50.	Roost Shooting Wild Turkeys Between Official Sunset and Official Sunrise (§50-9-1120(2)(j))
51.	Shooting Wild Turkeys Over Bait (§50-9-1120(2)(k))
52.	Trespassing to Hunt Waterfowl (§50-9-1120(2)(m))
53.	Boating Under the Influence Resulting in Death (§50-21-113(A)(2))
54.	Vessel Operator's Failure to Render Assistance Resulting in Death (§50-21-130(A)(3))
55.	Damaging an Airport Facility or Removing Equipment Resulting in Death (§55-1-30(3))
56.	Failure to Stop When Signaled by a Law Enforcement Vehicle Resulting in Death (§56-5-750(C)(2))
57.	Interference with Traffic-Control Devices, Railroad Signs, or Signals Resulting in Death (§56-5-1030(B)(3))
58.	Hit and Run Resulting in Death (§56-5-1210(A)(3))
59.	Driving Under the Influence of Intoxicating Liquor or Drugs (DUI) or Driving with an Unlawful Alcohol Concentration (DUAC) (§56-5-2930)
60.	Felony Driving Under the Influence Resulting in Death (Felony DUI) (§56-5-2945(A)(2))
61.	Traffic-Related Offense Which is Punishable Only by Fine or Loss of Points (Title 56)
62.	Driving with an Unlawful Alcohol Concentration Death (Felony DUAC) (§56-5-2933)
63.	Putting Destructive or Injurious Materials on a Highway Resulting in Death (§57-7-20(D))
64.	Obstruction of a Railroad Resulting in Death (§58-17-4090)
65.	Manufacturing or Trafficking Methamphetamine (§44-53-375)
66.	Trafficking in Persons (§16-3-930)

- C. Prior to completion of PTI the offender must make restitution, as determined by the Solicitor, to the victim, if any. §17-22-140.
- D. When a person successfully completes PTI, the Solicitor's Office must effect a noncriminal disposition of the charge. §17-22-150(A).
- E. Termination from PTI:
- A Solicitor has discretion to terminate a person from PTI and reinstate the original offense when the person violates the conditions of PTI. §17-22-150(B).

SOLICITORS' DIVERSION PROGRAMS INFORMATION:

Alcohol Education Programs Summary

- A. Each Solicitor has discretion to establish an Alcohol Education Program (AEP) for persons who commit alcohol-related offenses. S.C. Code Ann. §17-22-510(A). AEP is under the direct supervision and control of the Solicitor's Office. §17-22-510(C).
- B. Eligibility for AEP:
- A person may be considered for AEP if:
 - the person is at least 17 but under 21 at the time of the arrest. §17-22-520(A)(1);
 - the person has no prior alcohol-related offense. §17-22-520(A)(2); and
 - the person has no significant history or prior delinquency or criminal activity.
 - A person may not participate in AEP more than one time. §17-22-520 (B).
 - A person may be considered for AEP when charged with the following offenses:
 - Purchase or possession of beer or wine by a person under 21. §63-19- 2440;
 - Purchase or possession of alcoholic liquors by a person under 21. 63-19-450;
 - Open container in a motor vehicle. §61-4-110;
 - Public disorderly conduct. §16-17-530;
 - Providing false information concerning age to purchase beer or wine. §61-4-60;
 - Littering. §16-11-700;
 - Unlawful purchase of beer or wine for a person who cannot legally buy for consumption on the premises. §61-4-80;
 - Transfer of beer or wine for underage person's consumption §61-4-90;
 - Transfer of alcoholic liquors for underage person's consumption. §61-6-4070;
 - Possession of altered driver's license or other false documentation. §56-1-515; and
 - Another offense similar in nature and severity to the above-described offenses, as determined by the circuit solicitor. However, the provisions of this item may not be construed to include an offense enumerated in §56-5-2930 or §56-5-2933.
- C. A person's participation in AEP does not prevent the person's participation in pretrial intervention §17-22-520(D).
- D. When a person successfully completes AEP, the Solicitor's Office must effect a noncriminal disposition of the alcohol-related offense.
- E. Termination from AEP:
- A Solicitor has discretion to terminate a person from AEP and reinstate the alcohol-related offense when the person violates the conditions of AEP. §17-22-530(C).

SOLICITORS' DIVERSION PROGRAMS INFORMATION:

Traffic Education Programs Summary

- A. Each Solicitor may establish a Traffic Education Program (TEP), which includes both community service and educational components. S.C. Code Ann. §17-22-310(A). TEP is under the direct supervision and control of the Solicitor's Office. §17-22-310(C).
- B. Eligibility for TEP:
- A person may be considered for TEP if the person has no significant history of traffic violations. §17-22-320(A).
 - A person may not participate in TEP if the person has previously participated in TEP. §17-22-320(A).
 - Only a traffic-related offense that is punishable by a fine *and* the loss of points is eligible for TEP. However, the traffic-related offense must be punishable by the loss of four points or less to be eligible. §17-22-310(A). These eligible offenses include:
 - Driving too fast for conditions, or speeding more than 10 m.p.h. but less than 25 m.p.h. above the posted limits. (4 points);
 - Disobedience of any official traffic control device. (4 points);
 - Disobedience to officer directing traffic. (4 points);
 - Failing to yield right of way. (4 points);
 - Driving on wrong side of road. (4 points);
 - Passing unlawfully. (4 points);
 - Turning unlawfully (4 points);
 - Driving through or within safety zone (4 points);
 - Failing to give signal or giving improper signal for stopping, turning, or suddenly decreased speed (4 points);
 - Operating with improper brakes (4 points);
 - Following too closely (4 points);
 - Driving too fast for conditions, or speeding no more than 10 m.p.h. above the posted limits (2 points);
 - Shifting lanes without safety precaution (2 points);
 - Improper dangerous parking (2 points);
 - Failing to dim lights (2 points);
 - Operating with improper lights (2 points);
 - Operating a vehicle in unsafe condition (2 points);
 - Driving in improper lane (2 points); and
 - Improper backing (2 points).
 - A person may not participate in TEP arising from any type of traffic law violation (other than parking, vehicle weight or vehicle defect violations) if he/she holds a Commercial Driver's License (CDL) or Commercial Learner's Permit (CLP).
 - A person may not participate in TEP if the person's traffic-related offense resulted in death or serious bodily injury to another person. §17-22-310(A).
 - A traffic-related offense which provides for jail time is not eligible for TEP.
- C. A person's participation in TEP does not prevent the person's participation in a pretrial intervention program as otherwise provided in Title 17. §17-22-320(B).
- D. When a person successfully completes TEP, the Solicitor's Office must effect a noncriminal disposition of the traffic-related offense. No record should be kept of the traffic-related offense, except to ensure the person does not participate in TEP more than once.
- E. Termination from TEP:
- A Solicitor has discretion to terminate a person from TEP and reinstate the traffic-related offense when the person violates the conditions of TEP. §17-22-330(C).
 - If a person has entered TEP, and then receives a subsequent traffic violation during the six months following the issuance of the ticket for which the person has entered the program, the person is considered to have violated the conditions of the program. That person *must* be terminated from the program and the traffic-related offense reinstated. §17-22-330(D). However, a person who has already entered into and completed TEP would not be affected by the issuance of a subsequent traffic-related offense, except that the person may not again participate in the program.


SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

Driving Under the Influence Prosecution Final Quarter: July 1, 2016- June 30, 2017
Magistrate Court Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds)
 FY 2016/17 – Proviso 60.9

Judicial Circuit and Counties	Magistrate Court Dispositions												
	DUI 1 st			DUAC 1 st			ALTERNATE CHARGE			Nolle Pros/ Dismissal	Judicial Dismissal	Final Disposition Numbers	
	Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total for Circuit
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty				
1													382
Calhoun	21	3	7	2	0	0	0	0	0	7	0	40	
Dorchester	22	27	5	31	21	0	0	0	0	92	52	250	
Orangeburg	7	4	1	0	0	0	76	0	0	0	4	92	
2													175
Aiken	35	8	0	50	0	0	63	0	0	3	0	159	
Bamberg	0	0	0	0	0	0	0	0	0	0	0	0	
Barnwell	3	1	1	3	0	0	6	0	0	1	1	16	
3													362
Clarendon	13	0	0	3	0	0	64	0	0	5	1	86	
Lee	0	0	0	3	0	0	16	0	0	0	0	19	
Sumter	47	0	6	19	0	0	135	0	0	8	0	215	
Williamsburg	3	0	0	0	0	0	32	0	0	6	1	42	
4													15
Chesterfield	9	0	0	0	0	0	5	0	0	1	0	15	
Darlington	0	0	0	0	0	0	0	0	0	0	0	0	
Marlboro	0	0	0	0	0	0	0	0	0	0	0	0	
Dillon	0	0	0	0	0	0	0	0	0	0	0	0	
5													1176
Kershaw	65	54	19	9	20	0	0	0	0	170	91	428	
Richland	89	77	21	56	1	0	0	0	0	427	77	748	
6													68
Chester	2	0	0	0	0	0	0	0	0	0	0	2	

Attachment G



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

**Driving Under the Influence Prosecution Final Quarter July 1, 2016 - June 30, 2017
Magistrate Court Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds)
FY 2016/17 – Proviso 60.9**

Judicial Circuit and Counties	Magistrate Court Dispositions												
	DUI 1 st			DUAC 1 st			ALTERNATE CHARGE			Nolle Pros/Dismissal	Judicial Dismissal	Final Disposition Numbers	
	Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total for Circuit
	Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty					
Fairfield	0	0	0	0	0	0	0	0	0	0	0	0	
Lancaster	1	0	0	0	0	0	30	0	0	6	29	66	
7													177
Cherokee	0	0	0	0	0	0	0	0	0	0	0	0	
Spartanburg	22	15	17	17	1	0	63	0	0	31	11	177	
8													370
Abbeville	22	7	5	0	0	0	0	0	0	26	0	60	
Greenwood	83	14	10	0	0	0	0	0	0	197	6	310	
Laurens	0	0	0	0	0	0	0	0	0	0	0	0	
Newberry	0	0	0	0	0	0	0	0	0	0	0	0	
9													153
Berkeley	0	0	0	0	0	0	0	0	0	0	0	0	
Charleston	21	3	1	31	1	0	81	1	0	11	3	153	
10													555
Anderson	282	14	1	28	0	0	15	0	0	0	28	368	
Oconee	25	3	0	36	0	0	123	0	0	0	0	187	
11													417
Edgefield	11	0	0	0	0	0	1	0	0	0	0	12	
Lexington	111	22	1	42	0	0	174	0	0	31	1	382	
McCormick	0	0	0	0	0	0	0	0	0	0	0	0	
Saluda	9	0	0	0	0	0	12	0	0	2	0	23	
12													333
Florence	55	39	11	7	1	0	60	0	0	30	6	209	
Marion	48	23	2	2	0	0	32	0	0	7	10	124	

Attachment G



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

**Driving Under the Influence Prosecution Final Quarter July 1, 2016 - June 30, 2017
Magistrate Court Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds)
FY 2016/17 – Proviso 60.9**

Judicial Circuit and Counties	Magistrate Court Dispositions												
	DUI 1 st			DUAC 1 st			ALTERNATE CHARGE			Nolle Pros/Dismissal	Judicial Dismissal	Final Disposition Numbers	
	Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total for Circuit
	Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty					
13													863
Greenville	53	44	6	0	0	0	605	0	0	18	5	731	
Pickens	12	13	0	4	1	0	93	0	0	8	1	132	
14													4
Allendale	0	0	0	0	0	0	0	0	0	0	1	1	
Beaufort	0	0	0	0	0	0	0	0	0	0	1	1	
Colleton	0	0	0	0	0	0	0	0	0	0	1	1	
Hampton	0	0	0	0	0	0	0	0	0	0	0	0	
Jasper	0	0	0	0	0	0	0	0	0	0	1	1	
15													1087
Georgetown	15	2	0	0	0	0	197	0	0	22	3	239	
Horry	71	6	0	5	0	0	559	0	0	206	1	848	
16													533
Union	0	0	0	0	0	0	0	0	0	0	0	0	
York	130	6	3	134	3	0	203	0	0	54	0	533	
TOTALS:	1287	385	117	482	49	0	2645	1	0	1369	335	6670	6670


SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

Driving Under the Influence Prosecution Final Quarter: July 1, 2016- June 30, 2017
General Sessions Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds)
 FY 2016/17 – Proviso 60.9

Judicial Circuit and Counties	General Sessions Dispositions																					
	Felony DUI (Death/Great Bodily Injury)			DUI 2 nd or Subsequent			DUI 1 st			DUAC 2 nd or Subsequent			DUAC 1 st			Alternative Charge (original DUI charge dismissed)			Nolle Pros/ Dismissal	Judicial Dismissal	Final Disposition Numbers	
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial				Sub-total by County	Total for Circuit
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty				
1																					23	
Calhoun	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Dorchester	3	0	0	1	0	0	0	0	0	0	0	0	0	0	0	2	0	0	1	0	7	
Orangeburg	5	0	0	2	0	0	3	0	0	0	0	0	0	0	0	2	0	0	3	1	16	
2																					55	
Aiken	1	0	0	23	0	0	19	0	0	0	0	0	0	0	0	0	0	0	11	0	54	
Bamberg	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Barnwell	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	
3																					66	
Clarendon	1	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	2	11	
Lee	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	4	
Sumter	0	0	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15	1	40	
Williamsburg	0	0	0	4	0	0	0	0	0	1	0	0	0	0	0	0	0	0	4	2	11	
4																					23	
Chesterfield	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	3	
Darlington	0	0	0	5	0	0	2	0	0	0	0	0	0	0	0	0	0	0	10	0	17	
Marlboro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Dillon	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	3	
5																					120	
Kershaw	0	0	0	11	0	0	7	0	0	0	0	0	0	0	0	0	0	0	10	12	40	

Attachment H



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

**Driving Under the Influence Prosecution Final Quarter July 1, 2016 - June 30, 2017
General Sessions Court Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds)
FY 2016/17 – Proviso 60.9**

Judicial Circuit and Counties	General Sessions Dispositions																					
	Felony DUI (Death/Great Bodily Injury)			DUI 2 nd or Subsequent			DUI 1 st			DUAC 2 nd or Subsequent			DUAC 1 st			Alternative Charge (original DUI charge dismissed)			Nolle Pros/Dismissal	Judicial Dismissal	Final Disposition Numbers	
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial					
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty	Guilty	Not Guilty	Sub-total by County	Total for Circuit
Richland	7	0	0	20	0	0	0	0	0	0	0	0	4	0	0	0	0	0	14	35	80	
6																						29
Chester	0	0	0	6	0	0	7	0	0	0	0	0	0	0	0	4	0	0	3	0	20	
Fairfield	1	0	0	0	0	0	3	0	0	0	0	0	0	0	0	1	0	0	1	0	6	
Lancaster	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	3	
7																						122
Cherokee	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Spartanburg	16	0	0	45	0	0	33	0	0	1	0	0	1	0	0	2	0	0	21	3	122	
8																						0
Abbeville	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Greenwood	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Laurens	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Newberry	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
9																						171
Berkeley	7	0	0	11	1	0	5	0	0	0	0	0	0	0	0	11	0	0	14	1	50	
Charleston	2	0	0	41	0	0	28	0	0	2	0	0	8	0	0	21	0	0	17	2	121	
10																						122
Anderson	3	0	0	4	0	0	4	0	0	0	0	0	0	0	0	2	0	0	74	0	87	
Oconee	3	0	0	5	0	0	0	0	0	0	0	0	0	0	0	1	0	0	25	1	35	
11																						120
Edgefield	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Lexington	5	0	0	30	2	1	31	0	0	0	0	0	3	0	0	18	0	0	20	1	111	

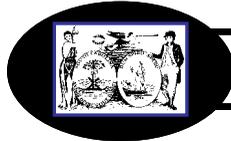
Attachment H



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

**Driving Under the Influence Prosecution Final Quarter July 1, 2016 - June 30, 2017
General Sessions Court Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds)
FY 2016/17 – Proviso 60.9**

Judicial Circuit and Counties	General Sessions Dispositions																					
	Felony DUI (Death/Great Bodily Injury)			DUI 2 nd or Subsequent			DUI 1 st			DUAC 2 nd or Subsequent			DUAC 1 st			Alternative Charge (original DUI charge dismissed)			Nolle Pros/Dismissal	Judicial Dismissal	Final Disposition Numbers	
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial				Sub-total by County	Total for Circuit
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty	Guilty	Not Guilty		
McCormick	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	3	
Saluda	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	5	0	6	
12																						50
Florence	1	0	0	7	1	0	5	0	0	0	0	0	0	0	0	16	0	0	8	0	38	
Marion	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	6	0	0	2	2	12	
13																						478
Greenville	18	0	0	127	0	0	73	0	0	1	0	0	11	0	0	84	0	0	86	0	400	
Pickens	1	1	0	28	0	0	17	0	0	0	0	0	0	0	0	7	0	0	21	3	78	
14																						40
Allendale	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Beaufort	3	0	0	22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	2	31	
Colleton	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	3	
Hampton	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Jasper	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	6	
15																						174
Georgetown	0	1	0	2	0	0	0	0	0	0	0	0	0	0	0	6	0	0	7	0	16	
Horry	3	0	0	20	0	0	14	0	0	0	0	0	1	0	0	64	0	0	55	1	158	
16																						853
Union	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
York	3	0	0	39	1	0	186	7	3	3	0	0	135	3	0	4	0	0	467	2	853	
TOTALS:	86	2	0	491	5	1	440	7	3	8	0	0	163	3	0	252	0	0	912	73	2446	2446



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

Criminal Domestic Violence Prosecution Final Report: July 1, 2016 - June 30, 2017
General Sessions Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds) (TABLE 1 of 2)
 FY 2016/17 – Proviso 60.7

Judicial Circuit and Counties	General Sessions Dispositions – CDV Charges																		
	CDVHAN			CDV 3 rd Offense or more			CDV 2 nd Offense			CDV 1 st Offense			Alternative Charge <i>(original CDV charge dismissed)</i>			Nolle Pros/ Dismissal	Judicial Dismissal	Final Disposition Numbers	
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total for Circuit <i>(this Table only)</i>
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty				
1																		8	
Calhoun	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Dorchester	3	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	5	
Orangeburg	1	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	3	
2																		8	
Aiken	1	0	0	0	0	0	3	0	0	4	0	0	0	0	0	0	0	8	
Bamberg	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Barnwell	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
3																			
Clarendon	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	
Lee	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sumter	6	0	1	0	0	0	4	0	0	0	0	0	0	0	0	0	0	11	
Williamsburg	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	
4																		0	
Chesterfield	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Darlington	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Marlboro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Dillon	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
5																		2	
Kershaw	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	

Attachment I



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

**Criminal Domestic Violence Prosecution Final Quarter July 1, 2016 - June 30, 2017
General Sessions Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds) (TABLE 1 OF 2)
FY 2016/17 – Proviso 60.7**

Judicial Circuit and Counties	General Sessions Dispositions – CDV Charges																		
	CDVHAN			CDV 3 rd Offense or more			CDV 2 nd Offense			CDV 1 st Offense			Alternative Charge <i>(original CDV charge dismissed)</i>			Nolle Pros/ Dismissal	Judicial Dismissal	Final Disposition Numbers	
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total for Circuit <i>(this Table only)</i>
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty				
Richland	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	
6																			4
Chester	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	
Fairfield	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
Lancaster	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	2	
7																			3
Cherokee	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
Spartanburg	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	
8																			1
Abbeville	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Greenwood	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
Laurens	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Newberry	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
9																			292
Berkeley	1	0	0	5	1	0	34	0	0	13	0	0	10	0	0	0	0	64	
Charleston	3	1	1	17	0	0	68	1	0	77	0	0	60	0	0	0	0	228	
10																			16
Anderson	2	0	0	0	0	0	1	0	0	0	0	0	5	0	0	0	0	8	
Oconee	1	1	0	0	0	0	4	0	0	0	0	0	2	0	0	0	0	8	
11																			48
Edgefield	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	3	
Lexington	0	0	0	0	0	0	2	0	0	2	0	0	38	0	0	0	0	42	

Attachment I



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

**Criminal Domestic Violence Prosecution Final Quarter July 1, 2016 - June 30, 2017
General Sessions Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds) (TABLE 1 OF 2)
FY 2016/17 – Proviso 60.7**

Judicial Circuit and Counties	General Sessions Dispositions – CDV Charges																		
	CDVHAN			CDV 3 rd Offense or more			CDV 2 nd Offense			CDV 1 st Offense			Alternative Charge <i>(original CDV charge dismissed)</i>			Nolle Pros/ Dismissal	Judicial Dismissal	Final Disposition Numbers	
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total for Circuit <i>(this Table only)</i>
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty				
McCormick	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Saluda	0	0	0	0	0	0	1	0	0	0	0	0	2	0	0	0	0	0	3
12																			39
Florence	3	0	0	8	1	0	13	0	0	8	1	0	0	0	0	0	0	0	34
Marion	0	0	0	1	0	0	0	0	0	3	0	0	1	0	0	0	0	0	5
13																			89
Greenville	12	0	3	8	0	0	22	0	0	40	0	0	0	0	0	0	0	0	85
Pickens	0	0	0	0	0	0	3	0	0	1	0	0	0	0	0	0	0	0	4
14																			2
Allendale	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Beaufort	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Colleton	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	2
Hampton	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Jasper	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15																			9
Georgetown	0	0	0	2	0	0	6	0	0	1	0	0	0	0	0	0	0	0	9
Horry	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16																			148
Union	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
York	0	0	0	0	0	0	143	1	0	2	0	0	2	0	0	0	0	0	148
TOTALS:	55	2	8	49	2	0	335	2	0	197	1	0	123	0	0	0	0	0	685


SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

Criminal Domestic Violence Prosecution Final Report: July 1, 2016 - June 30, 2017
General Sessions Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds) (TABLE 2 of 2)
 FY 2016/17 – Proviso 60.7

Judicial Circuit and Counties	General Sessions Dispositions – DV Charges																			
	DVHAN			DV 1 st Degree			DV 2 nd Degree			DV 3 rd Degree			Alternative Charge (original DV charge dismissed)			Nolle Pros/ Dismissal	Judicial Dismissal	Final Disposition Numbers		
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total DV for Circuit	Total CDV & DV for Circuit (Tables 1 & 2)
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty					
1																			313	321
Calhoun	0	0	0	1	0	0	6	0	0	2	0	0	3	0	0	3	1	16		
Dorchester	4	0	0	8	0	0	28	0	0	3	0	0	6	0	0	82	6	137		
Orangeburg	3	0	0	16	0	0	58	0	0	17	0	0	3	0	0	39	24	160		
2																			272	280
Aiken	3	0	0	8	0	0	0	0	0	18	0	0	0	0	0	119	1	202		
Bamberg	0	0	0	1	0	0	1	0	0	1	0	0	3	0	0	15	0	21		
Barnwell	0	0	0	1	0	0	10	0	0	1	0	0	8	0	0	27	2	49		
3																			296	312
Clarendon	3	0	0	7	0	0	14	0	0	5	0	0	1	0	0	27	1	58		
Lee	2	0	0	0	0	0	6	0	0	4	0	0	0	0	0	28	5	45		
Sumter	3	0	0	18	0	0	36	0	0	11	0	0	0	0	0	51	2	121		
Williamsburg	0	0	0	4	0	0	22	0	0	14	0	0	0	0	0	30	2	72		
4																			71	71
Chesterfield	1	0	0	1	0	0	1	0	0	2	0	0	1	0	0	0	0	6		
Darlington	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	8	0	9		
Dillon	0	0	0	0	0	0	0	0	0	4	0	0	30	0	0	0	0	34		
Marlboro	2	0	0	1	0	0	3	0	0	0	0	0	0	0	0	16	0	22		



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

**Criminal Domestic Violence Prosecution Final Report July 1, 2016 - June 30, 2017
General Sessions Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds) (TABLE 2 OF 2)
FY 2016/17 – Proviso 60.7**

Judicial Circuit and Counties	General Sessions Dispositions – DV Charges																			
	DVHAN			DV 1 st Degree			DV 2 nd Degree			DV 3 rd Degree			Alternative Charge <i>(original DV charge dismissed)</i>			Nolle Pros/ Dismissal	Judicial Dismissal	Final Disposition Numbers		
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total DV for Circuit	Total CDV & DV for Circuit <i>(Tables 1 & 2)</i>
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty					
5																		207	209	
Kershaw	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	3	0	0		
Richland	4	0	0	9	0	0	42	0	0	0	0	0	0	0	0	32	116	203		
6																		187	191	
Chester	0	0	0	2		1	14	0	0	4	0	0	2	0	0	14	0	0		
Fairfield	0	0	0	4			7	0	0	9	0	0	5	0	0	19	1	45		
Lancaster	0	0	0	8	1		17	1		13	0	0	3	0	0	62	0	0		
7																		184		
Cherokee	0	0	0	6	0	0	34	0	0	3	0	0	0	0	0	10	0	53		
Spartanburg	0	0	0	12	0	0	35	0	0	23	0	1	0	0	0	59	1	131		
8																		60	61	
Abbeville	0	0	0	3	0	0	2	0	0	3	0	0	0	0	0	10	0	0		
Greenwood	0	0	0	3	0	0	13	0	0	6	0	0	0	0	0	19	1	42		
Laurens	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Newberry	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
9																		583	875	
Berkeley	1	0	0	5	1	0	0	0	0	12	0	0	27	0	1	40	5	126		
Charleston	2	0	0	15	0	0	58	0	0	52	0	0	132	0	0	174	24	457		
10																		298	314	
Anderson	5	0	0	6	0	0	56	0	0	4	0	0	34	0	0	119	11	235		
Oconee	5	0	0	1	0	0	18	0	0	4	0	0	10	0	0	24	1	63		



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

**Criminal Domestic Violence Prosecution Final Report July 1, 2016 - June 30, 2017
General Sessions Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds) (TABLE 2 OF 2)
FY 2016/17 – Proviso 60.7**

Judicial Circuit and Counties	General Sessions Dispositions – DV Charges																			
	DVHAN			DV 1 st Degree			DV 2 nd Degree			DV 3 rd Degree			Alternative Charge (original DV charge dismissed)			Nolle Pros/ Dismissal	Judicial Dismissal	Final Disposition Numbers		
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total DV for Circuit	Total CDV & DV for Circuit (Tables 1 & 2)
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty					
11																		488	536	
Edgefield	0	0	0	2	0	0	3	0	0	2	0	0	0	0	0	7	1	15		
Lexington	2	0	0	29	0	0	121	0	0	99	0	0	0	0	0	187	5	443		
McCormick	0	0	0	1	0	0	5	0	0	0	0	0	0	0	0	3	2	11		
Saluda	2	0	0	1	0	0	5	0	0	0	0	0	0	0	0	7	4	19		
12																		99	138	
Florence	0	0	0	2	0	0	30	0	0	0	0	0	17	0	0	24	19	93		
Marion	0	0	0	1	0	0	0	0	0	0	0	0	1	0	0	1	3	6		
13																				
Greenville	8	0	0	42	0	0	160	0	0	125	0	0	0	0	0	269	8	612	713	
Pickens	0	0	0	7	1	1	45	0	0	10	0	0	0	0	0	34	3	101		
14																		433	435	
Allendale	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Beaufort	2	0	0	12	0	0	81	0	0	58	0	0	0	0	0	84	5	242		
Colleton	2	0	0	0	0	0	10	0	0	8	0	0	0	0	0	89	5	114		
Hampton	1	0	0	2	0	0	1	0	0	0	0	0	0	0	0	15	0	19		
Jasper	3	0	0	3	0	0	13	0	0	16	0	0	0	0	0	16	7	58		
15																		382	391	
Georgetown	0	0	0	0	0	0	0	0	0	0	0	0	11	0	0	98	3	112		
Horry	0	0	0	6	0	1	49	0	2	17	0	0	56	0	0	137	2	270		



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

**Criminal Domestic Violence Prosecution Final Report July 1, 2016 - June 30, 2017
General Sessions Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds) (TABLE 2 OF 2)
FY 2016/17 – Proviso 60.7**

Judicial Circuit and Counties	General Sessions Dispositions – DV Charges																			
	DVHAN			DV 1 st Degree			DV 2 nd Degree			DV 3 rd Degree			Alternative Charge <i>(original DV charge dismissed)</i>			Nolle Pros/ Dismissal	Judicial Dismissal	Final Disposition Numbers		
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total DV for Circuit	Total CDV & DV for Circuit <i>(Tables 1 & 2)</i>
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty					
16																				
Union	0	0	0	4	0	0	7	0	0	6	0	0	0	0	0	8	0	25		
York	0	0	0	42	0	1	143	1	0	141	1	0	222	2	0	200	10	763		
TOTALS:	58	0	0	295	3	4	1,241	2	3	698	1	1	575	2	1	2,209	281	5,374	5,374	
TOTAL CDV and DV Dispositions in General Sessions <i>(General Sessions Tables 1 and 2 combined)</i>																			6,059	


SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

Criminal Domestic Violence Prosecution Final Report: July 1, 2016 – June 30, 2017
Magistrate Court Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds)
 FY 2016/17 – Proviso 60.7

Judicial Circuit and Counties	Magistrate Court Dispositions															
	CDV 1 st Offense			Alternative Charge (original CDV charge dismissed)			DV 3 rd Degree			Alternative Charge (original DV charge dismissed)			Nolle Pros/ Dismissal	Judicial Dismissal	Final Disposition Numbers	
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total for Circuit
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty				
1																95
Calhoun	3	0	2	0	0	0	4	0	8	0	0	0	4	0	21	
Dorchester	0	0	0	0	0	0	10	5	1	0	0	0	26	11	53	
Orangeburg	3	0	1	0	0	0	6	0	0	0	0	0	11	0	21	
2																102
Aiken	1	0	0	0	0	0	22	22	4	18	2	0	16	0	85	
Bamberg	0	0	0	0	0	0	2	0	0	0	0	0	2	0	4	
Barnwell	1	0	0	0	0	0	3	3	1	3	0	0	2	0	13	
3																65
Clarendon	0	0	0	1	0	0	0	0	0	0	0	0	0	12	13	
Lee	0	0	0	0	0	0	1	0	0	0	0	0	8	0	9	
Sumter	1	0	0	0	0	0	5	2	2	3	2	0	11	10	36	
Williamsburg	0	0	0	0	0	0	2	1	0	2	0	0	2	0	7	
4																0
Chesterfield	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Darlington	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Marlboro	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Dillon	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
5																255
Kershaw	0	1	0	0	0	0	23	0	0	0	0	0	20	3	47	

Attachment K



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

**Criminal Domestic Violence Prosecution Final Report: July 1, 2016-June 30, 2017
Magistrate Court Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds)
FY 2016/17 – Proviso 60.7**

Judicial Circuit and Counties	Magistrate Court Dispositions															
	CDV 1 st Offense			Alternative Charge <i>(original CDV charge dismissed)</i>			DV 3 rd Degree			Alternative Charge <i>(original DV charge dismissed)</i>			Nolle Pros/ Dismissal	Judicial Dismissal	Final Disposition Numbers	
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total for Circuit
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty				
Richland	3	0	1	4	0	0	15	8	18	19	1	1	41	97	208	
6																55
Chester	0	0	0	0	0	0	3	1	0	5	0	0	4	0	13	
Fairfield	0	0	0	0	0	0	4	0	0	3	0	0	4	1	12	
Lancaster	1	0	0	0	0	0	8	1	0	7	0	0	13	0	30	
7																323
Cherokee	45	0	1	0	0	0	0	0	0	7	0	0	11	0	64	
Spartanburg	7	1	1	0	0	0	66	9	38	0	0	0	137	0	259	
8																7
Abbeville	1	0	0	0	0	0	0	0	0	0	0	0	0	2	3	
Greenwood	0	0	0	0	0	0	1	0	1	0	0	0	0	2	4	
Laurens	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Newberry	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
9																79
Berkeley	0	0	0	1	0	0	0	0	0	0	0	0	3	0	4	
Charleston	0	0	1	0	0	0	15	2	5	12	0	0	38	2	75	
10																179
Anderson	3	5	0	2	0	0	5	3	0	2	0	0	110	0	130	
Oconee	3	0	0	0	0	0	8	4	0	8	0	0	26	0	49	
11																304
Edgefield	0	0	0	0	0	0	19	1	0	0	0	0	1	14	35	
Lexington	4	1	00	18	0	0	88	0	2	68	0	0	78	0	259	

Attachment K



SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION

**Criminal Domestic Violence Prosecution Final Report: July 1, 2016-June 30, 2017
Magistrate Court Dispositions (for Charges Prosecuted by Prosecutor(s) Paid with State Funds)
FY 2016/17 – Proviso 60.7**

Judicial Circuit and Counties	Magistrate Court Dispositions															
	CDV 1 st Offense			Alternative Charge <i>(original CDV charge dismissed)</i>			DV 3 rd Degree			Alternative Charge <i>(original DV charge dismissed)</i>			Nolle Pros/ Dismissal	Judicial Dismissal	Final Disposition Numbers	
	Plea	Trial		Plea	Trial		Plea	Trial		Plea	Trial				Subtotal by County	Total for Circuit
		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty		Guilty	Not Guilty				
McCormick	0	0	0	0	0	0	1	0	0	0	0	0	0	1	2	
Saluda	0	0	0	0	0	0	6	0	0	0	0	0	1	1	8	
12																61
Florence	3	2	1	0	0	0	22	4	0	4	0	0	5	1	42	
Marion	1	0	0	0	0	0	8	2	0	3	0	0	3	2	19	
13																
Greenville	1	0	0	0	0	0	39	12	7	75	0	0	42	87	263	279
Pickens	0	0	0	0	0	0	1	0	0	3	0	0	12	0	16	32
14																23
Allendale	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	
Beaufort	0	0	0	2		0	0	0	0	1	0	0	0	2	5	
Colleton	0	0	0	2	0	0	0	0	1	0	0	0	4	6	13	
Hampton	0	0	0	0	0	0	0	0	0	0	0	0	1	2	3	
Jasper	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	
15																103
Georgetown	0	0	0	0	0	0	1	0	0	4	0	0	25	0	30	
Horry	11	4	0	0	0	0	0	0	0	0	0	0	58	0	73	
16																10
Union	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
York	3	0	0	5	0	0	0	0	0	0	0	0	2	0	10	
TOTALS:	95	14	8	35	0	0	388	80	88	248	5	0	722	257	1940	1940

*South Carolina Commission on Prosecution
Coordination*
Report on Statewide Diversion Programs
FY 2016/2017

S.C. Code of Laws Section 17-22-1120



South Carolina Commission on Prosecution Coordination

1200 Senate Street, Suite B03 (29201)

Post Office Box 11561

Columbia, South Carolina 29211

Phone: 803-343-0765

Facsimile: 803-343-0766

David M. Ross, Executive Director

Attachment L

Attachment L

**South Carolina Commission on Prosecution Coordination
Report on Diversion Programs
FY 2016/2017**

S.C. Code of Laws Section 17-22-1120

Table of Contents

<u>MATERIALS</u>	<u>BEGINS ON PAGE</u>
Quarterly Programmatic Reports for Diversion Programs	1
-Reports for each Diversion Program	
Alcohol Education Program	7
-Yearly Report	
-Criminal Offenses for each Quarter	
Drug Court (Adult).....	19
-Yearly Report	
-Criminal Offenses for each Quarter	
Drug Court (Juvenile)	35
-Yearly Report	
-Criminal Offenses for each Quarter	
Juvenile Arbitration.....	43
-Yearly Report	
-Criminal Offenses for each Quarter	
Pretrial Intervention (Adult).....	59
-Yearly Report	
-Criminal Offenses for each Quarter	
Pretrial Intervention (Juvenile).....	115
-Yearly Report	
-Criminal Offenses for each Quarter	
Traffic Education Program.....	125
-Yearly Report	
-Criminal Offenses for each Quarter	
Worthless Check Unit	141
-Yearly Report	
-Criminal Offenses for each Quarter	

Attachment L

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Attachment L

Alcohol Education Program
Quarterly Programmatic Report

S.C. Code Section §17-22-1120
The Omnibus Crime Reduction and
Sentencing Reform Act of 2010

Reporting Period:

- July 1 ó September 30 (Due October 15th)
- October 1 ó December 31 (Due January 15th)
- January 1 ó March 31 (Due April 15th)
- April 1 ó June 30 (Due July 15th)

South Carolina Commission on Prosecution Coordination, Post Office Box 11561, Columbia, SC 29211-1561
Phone (803) 343-0765 Fax (803) 343-0766

Fiscal Year: 2016/17 Judicial Circuit: _____ County _____

Directions: Please complete the following information as it pertains to each Alcohol Education Program established in the Judicial Circuit.

Contact Name: _____ Title: _____

Mailing Address: _____

City, State, Zip: _____

Telephone: _____ Fax: _____ Email: _____

<u>Diversion Program Data</u>	<u>Number</u>
1. Number of individuals who applied/referred	
2. Number of original criminal offenses applied/referred. (See attachment: Delineation of criminal offenses by statutory code sections)	
3. Number of individuals accepted	
4. Number of individuals who successfully completed within a twelve-month period	
5. Number of individuals who did not complete within a twelve-month period, but who are still participating	
6. Number of individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	
7. Number of individuals who successfully completed after a twelve-month period from the date of acceptance	
8. Number of individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	
9. Number of individuals with fees fully or partially waived for indigence	

Please return the "Alcohol Education Program Quarterly Programmatic Report" by the due date to the attention of Ms. Ellen DuBois at the Commission on Prosecution Coordination by mail, fax or email to edubois@cpc.sc.gov.

Judicial Circuit Solicitor/Program Director (signature)

Date

Attachment L

Reporting Period:

- July 1 ó September 30 (Due October 15th)
- October 1 ó December 31 (Due January 15th)
- January 1 ó March 31 (Due April 15th)
- April 1 ó June 30 (Due July 15th)

Drug Treatment Court Program
Adult _____ Juvenile _____ (check one)
Quarterly Programmatic Report

S.C. Code Section §17-22-1120
 The Omnibus Crime Reduction and
 Sentencing Reform Act of 2010

South Carolina Commission on Prosecution Coordination, Post Office Box 11561, Columbia, SC 29211-1561
 Phone (803) 343-0765 Fax (803) 343-0766

Fiscal Year: 2016/17 Judicial Circuit: _____ County _____

Directions: *Please complete the following information as it pertains to each Drug Treatment Court Program established in the Judicial Circuit.*

Contact Name: _____ Title: _____
 Mailing Address: _____
 City, State, Zip: _____
 Telephone: _____ Fax: _____ Email: _____

<u>Diversion Program Data</u>	<u>Number</u>
1. Number of individuals who applied/referred	
2. Number of original criminal offenses applied/referred. (See attachment: Delineation of criminal offenses by statutory code sections)	
3. Number of individuals accepted	
4. Number of individuals who successfully completed within a twelve-month period	
5. Number of individuals who did not complete within a twelve-month period, but who are still participating	
6. Number of individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	
7. Number of individuals who successfully completed after a twelve-month period from the date of acceptance	
8. Number of individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	
9. Number of individuals with fees fully or partially waived for indigence	

Please return the ðDrug Treatment Court Program Quarterly Programmatic Reportö by the due date to the attention of Ms. Ellen DuBois at the Commission on Prosecution Coordination by mail, fax or email to edubois@cpc.sc.gov.

 Judicial Circuit Solicitor/Program Director (*signature*)

 Date

Attachment L

Reporting Period:

- July 1 ó September 30 (Due October 15th)
- October 1 ó December 31 (Due January 15th)
- January 1 ó March 31 (Due April 15th)
- April 1 ó June 30 (Due July 15th)

**Juvenile Arbitration Program
Quarterly Programmatic Report**

S.C. Code Section §17-22-1120
The Omnibus Crime Reduction and
Sentencing Reform Act of 2010

South Carolina Commission on Prosecution Coordination, Post Office Box 11561, Columbia, SC 29211-1561
Phone (803) 343-0765 Fax (803) 343-0766

Fiscal Year: 2016/17 **Judicial Circuit:** _____ **County:** _____

Directions: *Please complete the following information as it pertains to each Juvenile Arbitration Program established in the Judicial Circuit.*

Contact Name: _____ Title: _____
 Mailing Address: _____
 City, State, Zip: _____
 Telephone: _____ Fax: _____ Email: _____

<u>Diversion Program Data</u>	<u>Number</u>
1. Number of individuals who applied/referred	
2. Number of original criminal offenses applied/referred. (See attachment: Delineation of criminal offenses by statutory code sections)	
3. Number of individuals accepted	
4. Number of individuals who successfully completed within a twelve-month period	
5. Number of individuals who did not complete within a twelve-month period, but who are still participating	
6. Number of individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	
7. Number of individuals who successfully completed after a twelve-month period from the date of acceptance	
8. Number of individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	
9. Number of individuals with fees fully or partially waived for indigence	

Please return the "Juvenile Arbitration Program Quarterly Programmatic Report" by the due date to the attention of Ms. Ellen DuBois at the Commission on Prosecution Coordination by mail, fax or email to edubois@cpc.sc.gov.

Judicial Circuit Solicitor/Program Director (*signature*)

Date

Attachment L

Reporting Period:

- July 1 ó September 30 (Due October 15th)
- October 1 ó December 31 (Due January 15th)
- January 1 ó March 31 (Due April 15th)
- April 1 ó June 30 (Due July 15th)

Pretrial Intervention Program
Adult _____ Juvenile _____ (check one)
Quarterly Programmatic Report

S.C. Code Section §17-22-1120
 The Omnibus Crime Reduction and
 Sentencing Reform Act of 2010

South Carolina Commission on Prosecution Coordination, Post Office Box 11561, Columbia, SC 29211-1561
 Phone (803) 343-0765 Fax (803) 343-0766

Fiscal Year: 2016/17 **Judicial Circuit:** _____ **County** _____

Directions: *Please complete the following information as it pertains to each Pretrial Intervention Program established in the Judicial Circuit.*

Contact Name: _____ Title: _____
 Mailing Address: _____
 City, State, Zip: _____
 Telephone: _____ Fax: _____ Email: _____

<u>Diversion Program Data</u>	<u>Number</u>
1. Number of individuals who applied/referred	
2. Number of original criminal offenses applied/referred. (See attachment: Delineation of criminal offenses by statutory code sections)	
3. Number of individuals accepted	
4. Number of individuals who successfully completed within a twelve-month period	
5. Number of individuals who did not complete within a twelve-month period, but who are still participating	
6. Number of individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	
7. Number of individuals who successfully completed after a twelve-month period from the date of acceptance	
8. Number of individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	
9. Number of individuals with fees fully or partially waived for indigence	

Please return the Pretrial Intervention Program Quarterly Programmatic Report by the due date to the attention of Ms. Ellen DuBois at the Commission on Prosecution Coordination by mail, fax or email to edubois@cpc.sc.gov.

 Judicial Circuit Solicitor/Program Director (*signature*)

 Date

Attachment L

Reporting Period:

- July 1 ó September 30 (Due October 15th)
- October 1 ó December 31 (Due January 15th)
- January 1 ó March 31 (Due April 15th)
- April 1 ó June 30 (Due July 15th)

**Traffic Education Program
Quarterly Programmatic Report**

S.C. Code Section §17-22-1120
The Omnibus Crime Reduction and
Sentencing Reform Act of 2010

South Carolina Commission on Prosecution Coordination, Post Office Box 11561, Columbia, SC 29211-1561
Phone (803) 343-0765 Fax (803) 343-0766

Fiscal Year: 2016/17 Judicial Circuit: _____ County _____

Directions: *Please complete the following information as it pertains to each Traffic Education Program established in the Judicial Circuit.*

Contact Name: _____ Title: _____
 Mailing Address: _____
 City, State, Zip: _____
 Telephone: _____ Fax: _____ Email: _____

<u>Diversion Program Data</u>	<u>Number</u>
1. Number of individuals who applied/referred	
2. Number of original criminal offenses applied/referred. (See attachment: Delineation of criminal offenses by statutory code sections)	
3. Number of individuals accepted	
4. Number of individuals who successfully completed within a twelve-month period	
5. Number of individuals who did not complete within a twelve-month period, but who are still participating	
6. Number of individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	
7. Number of individuals who successfully completed after a twelve-month period from the date of acceptance	
8. Number of individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	
9. Number of individuals with fees fully or partially waived for indigence	

Please return the Traffic Education Program Quarterly Programmatic Report by the due date to the attention of Ms. Ellen DuBois at the Commission on Prosecution Coordination by mail, fax or email to edubois@cpc.sc.gov.

Judicial Circuit Solicitor/Program Director (*signature*)

Date

Attachment L

**Worthless Check Unit
Quarterly Programmatic Report**

S.C. Code Section §17-22-1120
The Omnibus Crime Reduction and
Sentencing Reform Act of 2010

Reporting Period:

- July 1 ó September 30 (Due October 15th)
- October 1 ó December 31 (Due January 15th)
- January 1 ó March 31 (Due April 15th)
- April 1 ó June 30 (Due July 15th)

South Carolina Commission on Prosecution Coordination, Post Office Box 11561, Columbia, SC 29211-1561
Phone (803) 343-0765 Fax (803) 343-0766

Fiscal Year: 2016/17 **Judicial Circuit:** _____ **County** _____

Directions: Please complete the following information as it pertains to each Worthless Check Unit established in the Judicial Circuit.

Contact Name: _____ Title: _____
Mailing Address: _____
City, State, Zip: _____
Telephone: _____ Fax: _____ Email: _____

<u>Diversion Program Data</u>	<u>Number</u>
1. Number of individuals who applied/referred	
2. Number of original criminal offenses applied/referred. (See attachment: Delineation of criminal offenses by statutory code sections)	
3. Number of individuals accepted	
4. Number of individuals who successfully completed within a twelve-month period	
5. Number of individuals who did not complete within a twelve-month period, but who are still participating	
6. Number of individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	
7. Number of individuals who successfully completed after a twelve-month period from the date of acceptance	
8. Number of individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	
9. Number of individuals with fees fully or partially waived for indigence	

Please return the "Worthless Check Unit Quarterly Programmatic Report" by the due date to the attention of Ms. Ellen DuBois at the Commission on Prosecution Coordination by mail, fax or email to edubois@cpc.sc.gov.

Judicial Circuit Solicitor/Program Director (*signature*)

Date

*S.C. Commission on Prosecution Coordination
Report on Diversion Programs for
FY 2016/2017*

S.C. Code of Laws Section 17-22-1120



Alcohol Education Program

Attachment L

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Alcohol Rehabilitation Program
July 1, 2016-June 30, 2017

SCPC Report on Diversion Programs for FY 2016-2017

Diversion Program Data	Judicial Circuit Solicitor's Office Numbers															
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th
1. Number of Individuals who applied/referred	7	6	6	1	877	9	30	0	232	16	51	14	41	74	380	75
2. Number of Original Criminal Offenses applied/referred. (See attached Quarterly Reports)	6	10	5	6	—	10	35	0	23	14	8	18	52	74	444	15
3. Number of Individuals accepted	6	5	4	1	812	9	28	0	191	15	51	14	42	70	380	75
4. Number of Individuals who successfully completed within a twelve-month period	5	0	3	1	699	0	29	0	175	19	40	12	40	43	386	57
5. Number of Individuals who did not complete within a twelve-month period, but who are still participating	0	2	3	43	—	6	0	0	0	0	0	0	0	19	0	6
6. Number of Individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	3	2	0	0	47	3	0	0	26	0	9	4	4	8	22	3
7. Number of Individuals who successfully completed after a twelve-month period from the date of acceptance	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0
8. Number of Individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9. Number of Individuals with fees fully or partially waived for indigence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1

Attachment L

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Attachment L
Alcohol Education Program
Quarterly Reports
July 1-September 30, 2016
Criminal Offenses

AEP

6th Judicial Circuit

Lancaster County

20-07-0380		2
20-007-8920		1

AEP

9th Judicial Circuit

Charleston County

16-11-0620		1
16-13-0451		5
16-17-0530		19
16-17-0725 (A)		4
17-25-0030		1
56-01-0510		6
56-01-0515 (1)		77
56-01-0515 (2)		20
56-05-1520 (G) (1)		1
61-04-0050 (A)		3
61-04-0080		1
61-04-0110		8
61-06-4020		1
61-06-4075		1
61-06-4080		1
63-19-2420		1
63-19-2440		90
63-19-2450		24

AEP

9th Judicial Circuit

Berkeley County

16-13-0451		1
16-17-0725 (A)		1
61-04-0110		1
63-19-2440		3
63-19-2450		2

AEP

10th Judicial Circuit

Anderson County

63-19-2440		1
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AEP

11th Judicial Circuit

Lexington County

16-17-0530		1
------------	--	---

56-001-0515	Attachment L	1
63-19-2450		1

AEP

11th Judicial Circuit

McCormick County

63-19-2440		3
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AEP

12th Judicial Circuit

Florence County

20-07-8920		8
61-04-0110		1
20-07-8925		1

AEP

15th Judicial Circuit

Horry County

16-011-0700		2
63-019-2450		32
63-019-2440		80
16-017-0530		27
56-001-0515		15
16-009-0320		1
61-009-0087		2
61-004-0110		7
63-013-0287		2
56-5-3270		1
61-006-4020		1

AEP

15th Judicial Circuit

Georgetown County

63-019-2440		12
63-019-2450		2

Attachment L

AEP

15th Judicial Circuit

Horry County

63-019-2440		38
56-5-3270		2
16-017-0530		12
56-001-0515		3
61-004-0110		6
63-019-2450		10
61-009-0087		2
22-003-0650		4
16-001-0700 (C) 1		3
61-006-4020		1
61-013-0287		1

Attachment L

**Alcohol Education Program
Quarterly Reports
January 1-March 30, 2017
Criminal Offenses**

AEP

3rd Judicial Circuit

Clarendon County

63-19-2440		3
63-19-2450		1

AEP

7th Judicial Circuit

Spartanburg County

20-07-8925		1
56-01-0515(4)		1
61-04-0050(A)		1
61-04-0080		2
61-04-0110		1
61-06-4020		1
63-19-2440		2
63-19-2450		1
64-04-0110		1

AEP

10th Judicial Circuit

Anderson County

61-04-0050(A)		1
61-04-0110		1
63-19-2440		3
63-19-2450		1

AEP

10th Judicial Circuit

Oconee County

16-17-0530		1
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AEP

11th Judicial Circuit

Lexington County

16-17-0530		1
56-001-0515		1
56-001-510		1
63-19-2440		18

AEP

15th Judicial Circuit

Horry County

63-19-2440		27
16-17-0530		12
56-05-3270		2
63-019-2450		7
56-01-0515		1

Attachment L

61-04-0110		1
61-009-0087		2
16-09-0320(A)		1
16-011-0700 (C)1		1
00-000-0021		1
61-013-0287		1

Attachment L
Alcohol Education Program
Quarterly Reports
April 1 – June 30, 2017
Criminal Offenses

AEP

3rd Judicial Circuit

Sumter County

20-07-8920		1
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AEP

6th Judicial Circuit

Lancaster County

61-005-0020		2
20-007-8920		5

AEP

7th Judicial Circuit

Spartanburg County

61-04-0050 (A)		2
61-04-0110		1
63-19-2440		5

AEP

10th Judicial Circuit

Anderson County

61-04-0090		1
61-04-0110		1
63-19-2440		1
63-19-2450		3

AEP

10th Judicial Circuit

Oconee County

56-01-0515(2)		1
61-04-0110		1
61-06-4070		1
63-19-2450		2

AEP

12th Judicial Circuit

Marion County

61-06-4720		1
20-07-8925		1

AEP

12th Judicial Circuit

Florence County

20-07-0380		1
20-07-8925		1

AEP

15th Judicial Circuit

Horry County

63-019-2440		41
16-017-0530		29
56-5-3270		2
56-001-0510		3

Attachment L

56-001-5015		2
61-004-0110		22
63-019-2450		13
61-009-0087		2
16-09-0320(A)		2
16-011-0700 (C)1		1
00-000-0021		1
22-003-0560		1

AEP

15th Judicial Circuit

Georgetown County

63-019-2440		1
63-019-2450		1
61-004-0110		1

*S.C. Commission on Prosecution Coordination
Report on Diversion Programs for
FY 2016/2017*

S.C. Code of Laws Section 17-22-1120



Drug Court Program (Adult)

Attachment L

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Attachment L

**Drug Court (Adult)
July 1, 2016-June 30, 2017**

Diversion Program Data	Judicial Circuit Solicitor's Office Numbers															
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th
1. Number of Individuals who applied/referred	7	5	65	37	n/a	n/a	n/a	15	64	85	14	41	40	n/a	35	44
2. Number of Original Criminal Offenses applied/referred. (See attached Quarterly Reports)	14	9	61	35	n/a	n/a	n/a	49	219	323	25	96	25	n/a	126	55
3. Number of Individuals accepted	5	4	65	31	n/a	n/a	n/a	5	31	28	10	24	18	n/a	19	13
4. Number of Individuals who successfully completed within a twelve-	0	2	19	2	n/a	n/a	n/a	0	0	0	1	0	5	n/a	3	0
5. Number of Individuals who did not complete within a twelve-month period, but who are still participating	5	12	26	98	n/a	n/a	n/a	23	148	79	10	32	13	n/a	86	48
6. Number of Individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	0	1	10	10	n/a	n/a	n/a	10	4	8	1	12	4	n/a	10	0
7. Number of Individuals who successfully completed after a twelve-month period from the date of acceptance	0	0	3	7	n/a	n/a	n/a	7	7	9	4	7	1	n/a	7	6
8. Number of Individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	0	1	8	1	n/a	n/a	n/a	0	8	0	0	2	0	n/a	2	1
9. Number of Individuals with fees fully or partially waived for indigence	0	0	0	0	n/a	n/a	n/a	7	0	41	0	0	0	n/a	0	25

SCCPC Report on Diversion Programs for FY 2016-2017

Attachment L

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**Attachment L
Drug Court (Adult)
Quarterly Reports
July 1-September 30, 2016
Criminal Offenses**

Drug Court (Adult)

1st Judicial Circuit

Dorchester County

16-11-313		1
16-13-0180(A)		1
16-13-160(A)		1
44-53-370(b)		1
44-53-370(d)		2
44-53-375		1
44-53-375(A)		2
63-5-70		1

Drug Court (Adult)

3rd Judicial Circuit

Clarendon County

63-05-70		1
44-053-0375 (B) (1)		1
16-003-0600 (D) (1)		1
56-001-1100		1
16-011-0325		1

Drug Court (Adult)

3rd Judicial Circuit

Williamsburg County

44-53-0390		1
63-05-0700		2
16-17-410		1
44-053-0375		1
44-53-037 (d) and 56-05-0750 (B) (1)		1
16-13-001 (A)		1

Drug Court (Adult)

3rd Judicial Circuit

Sumter County

63-05-0070		2
16-03-0600(d)(1);(D)(2)		1
16-13-0030 (B)(2)		1
16-13-0030 (B): (B) (1)		1
44-53-0375 (A)		2
44-53-0370		1
44-53-0370 (b) (2)		1
44-53-0370 (c), (d) (1)		1
16-13-0110 (A)		1
16-03-0210 (D)		1

Drug Court (Adult)

8th Judicial Circuit

Laurens County

44-53-375		4
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Attachment L

44-53-376		2
44-53-210		3
16-13-110		2
16-001-57		1
16-11-312		2

Drug Court (Adult)**8th Judicial Circuit****Greenwood County**

44-53-375		4
44-53-376		2
44-53-210		3
16-13-110		2
16-001-57		1
16-11-312		2

Drug Court (Adult)**10th Judicial Circuit*****Anderson County***

44-53-0375(A)		5
44-53-0375(B)		7
16-13-0180(A)		1
16-11-0312(B)		2
16-13-0030(B)		1
16-11-0312		3
56-05-075(B) (1)		3
16-14-0060(a)(1-5)		1
44-53-0375(c)(1)(a)		3
16-23-0020		1
16-117-040		1
44-53-370(B)(2)		1
16-21-0080		3
16-23-0030		1
16-25-0020(A) and (C)		2
16-23-0490		1
16-11-0311		1
44-53-375(c)		1
16-11-0110(c)		1
16-03-0660(c)(1)		1
44-53-320		1

Drug Court (Adult)**11th Judicial Circuit*****Lexington County***

16-23-0230		1
44-53-0375(A)		2
44-53-0375(B)(1)		2
44-53-0376(A)		1
63-05-0070		1

Attachment L

**Drug Court (Adult)
Quarterly Reports
October 1-December 31, 2016
Criminal Offenses**

Drug Court (Adult)

3rd Judicial Circuit

Lee County

44-53-0375		1
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Drug Court (Adult)

3rd Judicial Circuit

Clarendon County

44-53-0375(A)		1
16-11-0313		1

Drug Court (Adult)

3rd Judicial Circuit

Williamsburg County

16-013-0030(B)		1
16-013-0030(1)		1
16-013-30		1

Drug Court (Adult)

3rd Judicial Circuit

Sumter County

16-13-0030(B)(B1)		1
16-03-0600(c)(1);(c)(2)		1
16-03-0600(c)(2)		1
44-53-0375(A)		1
16-31-240		1
16-14-0060(a)(1-5)-16-13-0110(A)-16-01-0057		1
16-013-160(1)(2) and 16-013-0180 (A)		1
44-53-0370(b)(1)		1
63-005-0070		1

Drug Court (Adult)

8th Judicial Circuit

Laurens County

44-53-210		4
44-53-210		4

Drug Court (Adult)

12th Judicial Circuit

Marion County

16-11-0313		2
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Drug Court (Adult)

12th Judicial Circuit

Florence County

44-53-0375 (B)(2)		1
63-05-0070		5
44-53-0375(A)		4
16-13-0180(A)		1

Attachment L

16-13-0110(B)(1)		5
44-53-0370(d)(2)		5
16-23-0030		2
16-11-0312		3
16-13-0030(B)		1
44-53-0445(B)(1)		2
16-11-0325		1
24-13-0470		1
16-14-0060(a)(1-5)		1
16-14-0020		1
16-13-0030(A)		2

Drug Court (Adult)

15th Judicial Circuit

Georgetown County

16-001-0055		1
16-003-0600(B)(1)		1
16-003-0600(C)(1)		1
16-009-0320(A)		2
16-009-0320(B)		1
16-011-0311		2
16-011-0312		12
16-011-0313		1
16-011-0380		1
16-013-0010(A)		14
16-013-0030(A)		2
16-013-0030(B)		7
16-013-0100(A)		6
16-013-0160(A)(1)		4
16-013-0230(A)		3
16-013-0240		3
16-021-0060(A)		1
16-023-0020, 0050		1
16-023-0030, 0050(B)		3
16-023-0410		1
16-023-0490		1
24-013-0470		2
44-053-0370(B)(1)		4
44-053-0370(B)(2)		2
44-053-037(c)		2
44-053-0370(d)(2)		3
44-053-0370 (D)(3)		1
44-053-0370(e)(2)(a)(1)		1
44-053-0370(e)(3)(a)(1)		2
44-053-0375 (A)		1
44-053-0375 (B)(1)		1
44-053-0375(B)(3)		2
56-005-2930		1

Attachment L

63-005-0070		1
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Drug Court (Adult)	15th Judicial Circuit	<i>Horry County</i>
16-003-0600 (D)(1)		3
16-003-1075(B) (2)		1
16-009-0320(B)		1
16-011-0311		2
16-011-0312(b)		1
16-011-0313		1
16-013-0030(B)		1
16-013-0230(A)		2
16-014-0060(A)(1)		4
16-023-0020-0050(A)(2)		1
16-023-0030, 0050(B)		2
40-043-0086(EE)		1
44-053-0370 (B)(1)		2
44-053-0370(B)(2)		4
44-053-0370(e)(2)(a)(1)		1
44-053-0375(B)(1)		2
44-053-0445(A)		2
56-005-2930		1

Attachment L

Drug Court (Adult) Quarterly Reports January 1-March 31, 2017 Criminal Offenses

Drug Court (Adult)

1st Judicial Circuit

Dorchester County

16-11-313		1
16-13-0180(A)		1
16-13-160(A)		1
44-53-370(b)		1
44-53-370(d)		2
44-53-375		1
44-53-375(A)		2
63-5-70		1

Drug Court (Adult)

8th Judicial Circuit

Greenwood County

44-53-375		1
44-53-376		1
44-53-210		2

Drug Court (Adult)

8th Judicial Circuit

Laurens County

56-05-2930		3
44-53-376		3
44-53-445		2
44-53-190		2
44-53-210		5
16-001-57		3
16-11-312		3
16-13-30		2

Drug Court (Adult)

10th Judicial Circuit

Oconee County

44-53-0375 (A)		8
44-53-0375 (B)		3
16-13-0030 (B)		1
44-53-370		9
16-13-0010(a)		2
44-53-420		1

Attachment L

16-13-0030(a)		5
16-13-0180(a)		5
16-14-0020		2
16-11-2325		1
16-11-0313		1
16-23-0490		5
16-03-0600		1
16-25-0065		1
16-03-0910		2
16-13-0010(a)		4
56-05-0750(b)(1)		1
16-11-0020		1
16-21-0080		1
16-09-0320(a)		2
44-53-375(b)		2
16-23-0020		2
16-23-0030		1
44-53-375(c)		2
56-05-2930(a)		1

Drug Court (Adult)

10th Judicial Circuit

Anderson County

44-53-0375 (A)		5
44-53-0375 (B)		2
16-13-0180 (A)		1
16-11-0312		1
56-05-0750(B)(1)		2
44-53-0375(c)		1
16-23-0020		1
44-53-370(b)(2)		2
44-53-370		1
16-23-0030		1
16-13-0110(A)		2
16-13-0160(A)(1)		9
44-53-370		3
16-23-0490		1
16-21-0060(A)		1
16-11-0520		1
16-09-0320(A)		3
47-03-0620		1
16-03-0600(c)(1)		4
56-05-2930(A)		2
56-01-0460(a)(1)(a)		1
44-53-370(d)(4)		2
61-04-0110		1
56-05-2350		1
56-05-1210(A)(1)		2

Attachment L

16-11-0311		1
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Drug Court (Adult)

11th Judicial Circuit

Saluda County

44-53-0445 (B)		1
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Drug Court (Adult)

11th Judicial Circuit

Lexington County

16-23-0110(A)		1
44-53-0375 (B)(1)		2
56-05-1220		1

Attachment L

**Drug Court (Adult)
Quarterly Reports
April 1-June 30, 2017
Criminal Offenses**

Drug Court (Adult)

1st Judicial Circuit

Dorchester County

44-53-0370(b)(2)		1
44-53-0370(c)		1
44-53-370(b)		1
44-53-370(c)		1

Drug Court (Adult)

10th Judicial Circuit

Anderson County

44-53-0375(A)		4
44-43-0375(B)		4
16-13-0180(A)		2
16-11-0312		2
56-05-0750(B)(1)		2
16-23-0020		1
16-23-0030		1
16-13-0160(A)(1)		9
44-53-370		2
16-21-0060(A)		1
16-11-0520		1
16-09-0320(A)		3
16-23-0230		1
16-23-0500(A)		1
23-47-0080		1
16-25-0020(a)(c)		1
63-05-0070		2
16-14-0020		1
16-13-0030(b)		3
56-01-1100		2

Attachment L

Drug Court (Adult)

10th Judicial Circuit

Oconee County

44-53-0375(A)		15
44-53-0375(B)		17
16-13-0030(B)		3
44-53-370		15
16-13-0010(a)		8
44-53-420		1
16-13-0030(a)		6
16-13-0180(a)		2
16-14-0020		3
16-14-0080(a)		1
24-13-0425(c,d)		1
16-11-0330(a)		2
16-11-0313		3
16-23-0490		2
16-13-0010(a)		4
56-05-0750(b)(1)		3
16-11-0020		1
16-21-0080		2
44-53-375(b)		5
16-23-0020		4
16-23-0030		2
44-53-375(c)		5
24-03-0590		1
44-53-0375(B) (2)		3
16-17-0725(A)		1
44-53-370 (b)(2)		1
44-53-370		2
44-53-375c		1
44-53-370(d)(4)		2
16-13-0385(a)		1
63-05-0070		1
56-01-0460 (A)(c)		1

Drug Court (Adult)

11th Judicial Circuit

Lexington County

44-053-0370d1		
44-53-0375(B)		
44-53-0375(A)		
44-53-0375(B)(1)		
56-29-0030©(1)		

Drug Court (Adult)

11th Judicial Circuit

Edgefield County

44-53-0370(a)		
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Attachment L

44-53-0375(B)		
44-53-0370(b)(2)		

Drug Court (Adult)

12th Judicial Circuit

Florence County

44-53-0370(d)(2)		2
16-21-0060(A)		1
16-13-0110 (B)(1)		2
44-53-0370 (C)		1
63-05-0070		4
44-53-370(d)(3)		2
16-13-0010 (A)		11
16-13-0510		1
16-13-0240		1
16-11-0312		1

Attachment L

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*S.C. Commission on Prosecution Coordination
Report on Diversion Programs for
FY 2016/2017*

S.C. Code of Laws Section 17-22-1120



Drug Court Program (Juvenile)

Attachment L

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**Attachment L
Drug Court (Juvenile)
July 1, 2016-June 30, 2017**

SCCPC Report on Diversion Programs for FY 2016-2017

Diversion Program Data	Judicial Circuit Solicitor's Office Numbers															
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th
1. Number of Individuals who applied/referred	11	n/a	n/a	n/a	n/a	8	n/a	n/a	n/a	20	n/a	115	40	0	n/a	13
2. Number of Original Criminal Offenses applied/referred. (See attached Quarterly Reports)	5	n/a	n/a	n/a	n/a	11	n/a	n/a	n/a	21	n/a	144	25	0	n/a	9
3. Number of Individuals accepted	10	n/a	n/a	n/a	n/a	12	n/a	n/a	n/a	11	n/a	8	18	0	n/a	13
4. Number of Individuals who successfully completed within a twelve-	2	n/a	n/a	n/a	n/a	10	n/a	n/a	n/a	14	n/a	0	5	0	n/a	4
5. Number of Individuals who did not complete within a twelve-month period, but who are still participating	1	n/a	n/a	n/a	n/a	0	n/a	n/a	n/a	14	n/a	12	13	0	n/a	10
6. Number of Individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	3	n/a	n/a	n/a	n/a	2	n/a	n/a	n/a	7	n/a	3	4	0	n/a	4
7. Number of Individuals who successfully completed after a twelve-month period from the date of acceptance	1	n/a	n/a	n/a	n/a	0	n/a	n/a	n/a	0	n/a	5	1	0	n/a	5
8. Number of Individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	0	n/a	n/a	n/a	n/a	0	n/a	n/a	n/a	0	n/a	2	0	0	n/a	3
9. Number of Individuals with fees fully or partially waived for indigence	0	n/a	n/a	n/a	n/a	0	n/a	n/a	n/a	0	n/a	115	0	0	n/a	8

Attachment L

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Attachment L

**Drug Court (Juvenile)
Quarterly Report
All Quarters Reported
Criminal Offense**

July 1st – September 30th, 2016

Drug Court (Juvenile)

1st Judicial Circuit

Dorchester County

16-13-0010A		1
44-53-370b		1
16-13-510		1

Drug Court (Juvenile)

6th Judicial Circuit

Lancaster County

44-53-0370(D)(4)		3
56-01-0020		1
16-21-0060(B)		1
63-19-2450		1
44-53-0370(b)(2)		1

Drug Court (Juvenile)

10th Judicial Circuit

Anderson County

44-53-370(d)(4)		4
44-53-370		1
63-19-2440		1
44-53-375(a)		1
16-17-0420		1

Drug Court (Juvenile)

12th Judicial Circuit

Florence County

44-53-370		5
63-19-2440		1
16-3-600(3)(1)		4
16-13-011(B)(1)		2
16-13-0160		1
44-53-370(d)(2)		1
16-23-20		1
16-13-0230(B)(1)		1
16-13-0160(A)(1)		9
16-23-0030		1
16-11-312		4
16-13-0030(B)		2
16-17-0725(B)		1
16-03-0625		1

Attachment L

Drug Court (Juvenile)

12th Judicial Circuit

Marion County

16-03-600 (3)(1)		3
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October 1st – December 31st, 2016

Drug Court (Juvenile)

1st Judicial Circuit

Dorchester County

44-53-375		1
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Drug Court (Juvenile)

12th Judicial Circuit

Florence County

44-53-370		2
16-03-600(3)(1)		3
16-13-011(B)(1)		5
16-023-0430		2
16-17-0530		8
16-011-0510		1
16-003-1040		2
16-11-312		1
56-05-2930		1
16-13-0030(A)		1
16-03-0625		1
16-17-430(A)(B)		1

Drug Court (Juvenile)

12th Judicial Circuit

Marion County

16-03-600(3)(1)		1
16-17-0530		1
16-21-0060(A)		2

January 1st – March 31th, 2017

Drug Court (Juvenile)

10th Judicial Circuit

Anderson County

44-53-370(d)(4)		7
44-53-445		4

Drug Court (Juvenile)

10th Judicial Circuit

Oconee County

44-53-370(d)(4)		1
44-53-445		1

Attachment L

April 1st – June 30th, 2017

Drug Court (Juvenile)

12th Judicial Circuit

Marion County

16-3-600(3)(1)		3
44-53-370		2

Drug Court (Juvenile)

12th Judicial Circuit

Florence County

44-53-370		9
16-11-0510		1
16-11-312		5
16-023-0430		2

Attachment L

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*S.C. Commission on Prosecution Coordination
Report on Diversion Programs for
FY 2016/2017*

S.C. Code of Laws Section 17-22-1120



Juvenile Arbitration Program

Attachment L

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Attachment L
Juvenile Arbitration Program
July 1, 2016 -June 30, 2017

SCCPC Report on Diversion Programs for FY 2016-2017

Diversion Program Data	Judicial Circuit Solicitor's Office Numbers															
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th
1. Number of Individuals who applied/referred	53	164	18	134	36	105	20	182	n/a	184	179	113	134	204	152	197
2. Number of Original Criminal Offenses applied/referred. (See attached Quarterly Reports)	72	137	18	301	41	105	22	182	n/a	62	195	113	177	76	209	182
3. Number of Individuals accepted	53	164	18	98	36	112	8	182	n/a	171	145	111	133	203	149	249
4. Number of Individuals who successfully completed within a twelve-	17	132	34	108	30	90	4	163	n/a	74	111	127	111	130	118	161
5. Number of Individuals who did not complete within a twelve-month period, but who are still participating	0	0	8	0	81	0	0	0	n/a	63	0	0	0	0	0	0
6. Number of Individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	18	20	8	0	3	11	0	65	n/a	10	0	6	13	0	25	6
7. Number of Individuals who successfully completed after a twelve-month period from the date of acceptance	0	0	34	1	0	98	0	0	n/a	83	0	0	0	130	0	0
8. Number of Individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	0	0	8	0	0	4	0	0	n/a	18	0	0	1	67	0	1
9. Number of Individuals with fees fully or partially waived for indigence	0	0	0	0	0	0	0	0	n/a	3	0	0	0	0	0	0

Attachment L

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Attachment L
Juvenile Arbitration
Quarterly Reports
July 1 - September 30,
2016
Criminal Offenses

Juvenile Arbitration

1st Judicial Circuit

Orangeburg County

	Assault and Battery 3rd	3
	Disturbing Schools	1

Juvenile Arbitration

1st Judicial Circuit

Calhoun County

	Assault and Battery 3rd	1
	Disturbing Schools	1

Juvenile Arbitration

6th Judicial Circuit

Lancaster County

16-03-0210		9
16-11-312		1
Burglary 3		5
20-7-8920		1
16-11-510		7
16-17-0420		1
16-11-523		3
44-53-370		3
16-13-110		2

Juvenile Arbitration

6th Judicial Circuit

Fairfield County

16-03-0210		4
16-11-510		1
16-17-530		3
16-13-110		1

Juvenile Arbitration

6th Judicial Circuit

Chester County

16-03-0210		4
16-17-0420		1
16-11-523		2
44-53-370		1

Juvenile Arbitration

10th Judicial Circuit

Anderson County

16-23-0030		1
16-17-420		3
16-11-0312		2
16-03-600		5
16-13-110		4

Attachment L

16-03-1700A		1
16-17-0430A		1
16-13-30		3
16-13-0160A		1
16-11-520		2
16-15-0130		1
16-03-0600(D)1		1
16-11-0150A		2
16-11-0620		2
16-23-0430		1
16-11-0313		1
16-17-0430A		1
16-17-0530		1
16-09-0320A		1
16-17-725		1

Juvenile Arbitration

10th Judicial Circuit

Oconee County

16-03-600		2
16-13-110		5
16-13-30		1

**Juvenile Arbitration
County**

12th Judicial Circuit

Florence

16-3-600(E)		3
63-19-2440		2
16-23-430		2
44-53-370		2
16-11-620		1
16-13-110		10

Juvenile Arbitration

12th Judicial Circuit

Marion County

16-3-600(E)		3
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Juvenile Arbitration

13th Judicial Circuit

Greenville County

00-000-0003		2
16-011-0520		1
16-015-250		1
16-017-0420		3
16-017-0530		2
16-017-0722		1

Juvenile Arbitration

15th Judicial Circuit

Horry County

16-03-0600(E)(1)		2
Assault on Police Officer		1

Attachment L

Attempted Robbery		1
16-13-0160(1)(2)(B)		7
16-11-0312(B)		2
16-17-0420		1
16-11-0520(A)		1
63-19-2440		1
44-53-0391		1
16-13-0030(A)		3
16-17-0530		2
16-30-0780(A)		2
20-7-30		7
16-11-0011		2
44-53-370(D)(4)		2
16-11-0620		1
20-7-30		2
16-23-0020(A)(2)		1

Attachment L
Juvenile Arbitration
Quarterly Reports
October 1 - December 31, 2016
Criminal Offenses

Juvenile Arbitration

1st Judicial Circuit

Calhoun County

	Assault and Battery 3rd	1
	Financial Transaction/card fraud	1

Juvenile Arbitration

1st Judicial Circuit

Orangeburg County

	Assault and Battery 3rd	6
	Disturbing Schools	2

Juvenile Arbitration

5th Judicial Circuit

Richland County

16-03-600(2)		1
16-03-600(3)		8
16-21-90		1
16-11-313		4
16-13-30		1
16-11-520		4
16-17-530		2
16-13-110		11
44-53-370		8
16-11-620		1

Juvenile Arbitration

6th Judicial Circuit

Fairfield County

16-3-0210		5
16-17-530		3
44-53-370		1
16-13-30		1
Receiving Stolen Goods		2

Juvenile Arbitration

6th Judicial Circuit

Chester County

16-03-0210		4
16-11-510		2
16-17-530		1
16-17-0420		1
16-11-523		2
16-13-30		2
16-13-110		1

Juvenile Arbitration

**Attachment L
6th Judicial Circuit**

Lancaster County

16-03-0210		13
20-7-8920		3
16-11-510		4
Disseminating Harmful Material		1
16-11-523		2
44-53-370		5
16-13-110		2

Juvenile Arbitration

11^h Judicial Circuit

Lexington County

16-03-600(2)		2
16-03-600(3)		31
63-19-2440		1
16-23-430		5
16-03-1700		1
16-11-510		1
16-13-30		3
63-19-2440		4
44-53-370		18
16-17-530		1
56-05-2920		1
16-13-110		9
16-11-610		1
16-17-430		1
56-01-50		1

Juvenile Arbitration

13th Judicial Circuit

Greenville County

00-000-0003		14
00-000-0013		1
16-003-0210(D)		1
16-003-1040		1
16-011-0520		3
16-011-0520A		1
16-011-0600		3
16-13-0230		1
16-015-250		2
16-017-0420		21
16-017-430		3
16-017-0530		4
16-023-0430		2
59-067-0245		5

Juvenile Arbitration

12th Judicial Circuit

Florence County

16-3-600(E)		3
16-23-430		2
44-53-370(D)(2)		2

Attachment L

16-11-312		1
16-11-620		4
16-13-110		3
16-11-510		3
16-13-30(A)		1
16-13-160		1
16-11-313		1
16-17-420		1
16-17-530		7

Juvenile Arbitration

12th Judicial Circuit

Marion County

16-03-600(E)		1
16-17-530		1

Juvenile Arbitration

15th Judicial Circuit

Horry County

16-03-0600(E)(1)		6
16-13-0160(1)(2)(B)		2
16-11-0312(B)		1
16-17-0420		1
16-11-0520(A)		13
63-19-2440		1
44-53-0391		1
16-13-0030(A)		26
16-17-0530		7
44-53-0445(A)		1
20-7-30		5
16-11-0011		3
44-53-370(D)(4)		4
61-11-0620		1
20-7-30		3
16-17-0430(B)		1

Juvenile Arbitration

16th Judicial Circuit

Union County

16-011-0520(A)		3
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Attachment L

16-11-0150A		3
16-03-600		17
16-17-420		7
16-03-1700B		1
16-11-520		7
16-17-0530		1
16-13-0160A		8
16-23-003		5
16-17-0725A		1
16-13-110		6
59-67-0245		1

Juvenile Arbitration

10th Judicial Circuit

Oconee County

59-67-0245		2
16-3-600		2
16-17-420		1
44-53-445		1
16-13-0160A		1
16-11-520		1

Juvenile Arbitration

11th Judicial Circuit

Lexington County

16-03-600		22
16-23-430		5
16-15-305		2
16-15-385		2
16-17-420		1
56-01-20		1
56-5-750		1
16-17-725		2
47-1-40		2
59-67-245		2
16-11-520		1
61-04-110		1
16-13-30		3
44-53-370		13
16-17-530		2
16-13-180		1
16-13-110		5
16-03-1040		1
16-11-620		2
16-17-430		2

Juvenile Arbitration

13th Judicial Circuit

Greenville County

00-000-0003		9
00-000-0013		8
16-003-0210(D)		4
16-003-1040		1

Attachment L

16-011-0313B		1
16-011-0510B2		1
16-011-051B3		1
16-011-0520A		3
16-015-0385		3
16-017-0420		8
16-017-0530		1
59-067-0245		3

Juvenile Arbitration

15th Judicial Circuit

Horry County

16-03-0600(E)(1)		9
16-17-420		2
16-15-0305		1
Interfering with Police		1
44-53-0391		5
16-13-0030(A)		4
16-17-0530		6
20-7-30		7
16-11-0011		4
44-53-370(D)(4)		10
Truancy		2
20-7-30		3
16-23-0020(A)(2)		1
40-43-0086(E)		1
16-17-0430(B)		4

Juvenile Arbitration

15th Judicial Circuit

Georgetown County

16-017-0420		2
22-003-0570		2
44-53-370(D)4		6
16-03-0600(D)1		1
16-03-0600(E)1		1
20-7-30		1
16-017-0530		1
16-11-0640		1
16-023-0430		1

Juvenile Arbitration

16th Judicial Circuit

Union County

16-13-30(A)		1
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Attachment L
Juvenile Arbitration Quarterly Reports
April 1st -June 31st, 2017
Criminal Offenses

Juvenile Arbitration

1st Judicial Circuit

Orangeburg County

	Assault and Battery 3 rd	5
	Use of Vehicle without owner's consent	2
	MIRP	6
	MIPP	2
	Disturbing Schools	6
	Burglary 3 rd	5
	Petit Larceny	3
	Loitering	1

Juvenile Arbitration

1st Judicial Circuit

Calhoun County

	Shoplifting	1
	Trespassing after warning	1
	Assault and battery 3 rd	1

Juvenile Arbitration

10th Judicial Circuit

Anderson County

16-03-1040		1
16-11-0150A		1
16-3-600		21
16-17-420		11
16-11-520		3
16-17-0530		1
16-13-0160A		4
16-13-110		4
59-67-0245		3
16-03-0210D		4
16-11-0312		1

Juvenile Arbitration

12th Judicial Circuit

Florence County

16-3-600 (E)		7
16-11-312		3
16-13-110		10
16-17-420		1
16-11-313-		1
16-17-530		4
16-11-620		4
44-53-370		1
16-3-1040		1
16-11-520		1
16-23-430		3
16-11-550		1

Attachment L

16-3-75		1
44-53-370(D)(2)		4

Juvenile Arbitration

12th Judicial Circuit

Marion County

44-53-370(D)(2)		3
16-3-600(E)		5
16-23-430		4
16-17-530		1
16-11-312		2
16-13-30(A)		1
16-13-30(B)		1

Juvenile Arbitration

13th Judicial Circuit

Greenville County

00-000-0003		10
00-000-0013		6
16-003-0600(D1)		2
16-003-1040		1
16-009-0320		1
16-011-0312		11
16-011-051B3		2
16-011-0520		2
16-011-0600		2
16-017-0420		11
16-017-430		2
16-017-0530		7
16-23-0430		2
44-053-037d3		1
58-015-0850		1
59-067-0245		1

Juvenile Arbitration

15th Judicial Circuit

Horry County

22-005-0150		4
16-053-0370(D)3		2
16-013-0160		1
16-017-0420		2
44-53-0445(A)		2
20-007-0030		3
16-013-110(B)2		1
16-14-60		3
16-03-0655		1
63-19-2440		1
16-13-03330(A)		2
16-15-0090		1
Truancy		1
16-11-0620		1
20-7-30		2
40-43-0086		1

Attachment L

16-17-0430(B)		2
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Juvenile Arbitration

16th Judicial Circuit

Union County

16-13-30(A)		1
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*S.C. Commission on Prosecution Coordination
Report on Diversion Programs for
FY 2016/2017*

S.C. Code of Laws Section 17-22-1120



Pretrial Intervention Program (Adult)

Attachment L

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Attachment L
Pretrial Intervention Program
(Adult) July 1, 2014-June 30, 2016

SCPC Report on Diversion Programs for FY 2016-2017

Diversion Program Data	Judicial Circuit Solicitor's Office Numbers															
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th
1. Number of Individuals who applied/referred	369	80	125	610	1111	181	379	358	1290	261	746	356	1130	665	979	733
2. Number of Original Criminal Offenses applied/referred. (See attached Quarterly Reports)	429	135	166	852	—	308	500	358	191	141		501	1863	840	1339	183
3. Number of Individuals accepted	306	72	111	606	865	117	348	358	1026	243	654	229	1090	544	919	639
4. Number of Individuals who successfully completed within a twelve-	215	69	88	284	807	85	318	374	815	205	498	211	779	377	688	475
5. Number of Individuals who did not complete within a twelve-month period, but who are still participating	32	2	22	882	—	84	0	21	8	10	23	40	16	180	18	24
6. Number of Individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	68	20	25	34	441	19	103	74	175	49	99	55	181	135	270	72
7. Number of Individuals who successfully completed after a twelve-month period from the date of acceptance	22	7	15	26	0	18	15	0	9	3	37	15	72	37	13	2
8. Number of Individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	15	1	5	4	0	14	12	0	2	1	27	2	14	22	7	2
9. Number of Individuals with fees fully or partially waived for indigence	0	0	0	0	0	0	0	0	0	0	1	0	4	0	0	1

Attachment L

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Attachment L

**Pretrial Intervention (Adult)
Quarterly Reports
July 1-September 30, 2016
Criminal Offenses**

PTI (Adult)

1st Judicial Circuit

Calhoun County

16-17-0530		1
44-53-370		1
16-3-600(D)(1)		1
44-53-370 (d)		1

PTI (Adult)

1st Judicial Circuit

Orangeburg County

12-13-0230(A)		3
16-13-0110(B)(1)		13
16-13-0230(A)		1
16-13-0420(A)		1
16-13-230(A)		1
16-13-510		1
16-17-410		2
16-21-60 (A)		1
20-7-70		1
44-53-370(b)		1
61-4-110		1
Common Law		1
16-03-0600(E)		1
16-13-0180(A)		1
16-13-0230(B)(1)		1
16-13-10		1
16-13-30(A)		2
16-17-0530		1
16-17-420		1
16-23-20		1
44-53-370		1
47-01-0040(A)		1
63-5-70		1

PTI (Adult)

1st Judicial Circuit

Dorchester County

16-03-0600(E)		2
16-11-312		1
16-13-0110 (B)(1)		2
16-13-110 (B)		1
16-17-0420		1
16-23-0430		1

Attachment L

16-23-430		2
16-3-600 (D)(1)		1
24-7-155		1
44-53-0390		1
44-53-370(b)		3
44-53-375		2
44-53-390		7
61-04-0110		1
63-19-2450		1
16-11-0620		1
16-13-0010(A)		1
16-13-0230(A)		1
16-13-160(A)		3
16-17-0725 (B)		1
16-23-20		2
16-25-20(D)		3
16-03-654		1
44-53-0370(d)(4)		11
44-53-0391		4
44-53-370(d)		2
44-53-375(A)		1
56-05-1210(A)(1)		1
61-06-4080		1

PTI (Adult)

2nd Judicial Circuit

Barnwell County

16-013-0110B1		3
16-09-0320(A)		1
16-23-0020		1
16-03-600E		1
16-17-0530		1
63-05-0070		1

PTI (Adult)

6th Judicial Circuit

Chester County

16-03-0600		1
16-03-0600(E)(1)		2
16-011-0313		1
16-25-0020(A)		1
16-013-0010		2
16-013-0030		1
16-13-0030(A)		1
16-023-0410		1
44-053-0370(D)(1)		1
44-53-0370(d)(2)		1
16-11-0600		1

PTI (Adult)

6th Judicial Circuit

Lancaster County

Attachment L

56-001-0510		1
16-03-0600(E)(1)		1
16-13-0160		19
16-17-0530		2
16-25-0020 (A)		2
64-004-0060		1
16-17-0722(A)		1
16-13-0510		2
16-013-0010		1
16-13-0240(2)		1
61-05-0020		1
16-13-0030(A)		6
20-007-0380		1
20-007-0370		1
44-053-0370(D)(1)		1
44-53-0370(d)(2)		2
44-053-0391		5
44-53-0370		9
44-53-0370 d		1
44-53-0370(e)(3)		2
City Ord.		1
16-013-0180		2
16-13-0110		9
16-11-0600		2
16-23-0030		1

PTI (Adult)

6th Judicial Circuit

Fairfield County

16-13-0230(A)		1
16-25-0020(A)		2
38-55-0170		1
16-17-0722(B)		1
16-013-0030		1
16-13-0170		1
44-53-0370		1
44-053-0375(A)		1
16-11-0600		1

PTI (Adult)

8th Judicial Circuit

Greenwood County

16-003-1770		1
16-009-0320		1
16-011-0520		1
16-013-0030		2
16-013-0110		9
16-013-0230		1
16-015-0090		2
16-017-0530		2
16-017-0722		1

Attachment L

16-023-0030		1
16-023-0410		1
16-023-0420		1
16-025-0020		1
16-13-0110		1
22-005-0150		1
44-053-0370		17
45-001-0050		1
56-001-0460		2
56-001-0510		1
56-005-0750		1
56-005-2920		1
61-004-0110		2
61-004-0900		1
61-006-4020		1
63-005-0070		2

PTI (Adult)

8th Judicial Circuit

Abbeville County

16-003-0600		1
16-009-0320		1
16-011-0312		2
16-011-0510		1
16-013-0030		3
16-015-0130		1
16-017-04140		1
16-017-0530		1
16-023-0020		1
22-005-0150		1
44-053-0370		2
56-005-0750		1
56-005-2920		1
56-005-4490		1
61-004-0900		1
63-005-0070		1

PTI (Adult)

8th Judicial Circuit

Laurens County

12-015-0001		1
16-003-1040		2
16-003-1050		1
16-003-1730		1
16-011-0110		1
16-011-0170		1
16-013-0110		1
16-017-0720		2
16-023-0020		1
16-023-0410		4
16-025-0020		2

Attachment L

22-005-0150		2
24-000-0122		1
24-000-0146		1
34-011-0060		1
44-053-0370		9
44-053-0375		2
44-053-0391		2
56-001-0440		1
56-001-0460		1
56-005-2920		1
63-005-0070		1

PTI (Adult)

8th Judicial Circuit

Newberry County

16-003-0210		1
16-003-0920		2
16-009-0320		1
16-011-0510		1
16-013-0030		1
16-013-0100		1
16-013-0180		1
16-017-0410		1
16-17-0530		2
16-023-0020		1
16-025-0020		1
22-005-0150		1
44-023-1150		1
44-053-0370		13
44-053-0375		3
44-053-0391		1
44-053-0445		1
44-053-0370		1
56-001-0510		1
56-005-0750		2
61-004-0110		2
61-006-4025		1

PTI (Adult)

9th Judicial Circuit

Berkeley County

132.21		1
16-03-0210(D)		2
16-03-0600(C)(1)		1
16-03-0600 D2		2
16-03-0600 E1		12
16-03-208C		2
16-09-0320A		2
16-11-0313		3
16-11-0510A		5
16-11-0740		1
16-13-0010A		5

Attachment L

16-13-0030A	7
16-13-0030B	2
16-13-0110A	95
16-13-0160A1	1
16-13-0180A	2
16-13-0230A	17
16-13-0240	2
16-13-0430 A B	1
16-13-0510 C	2
16-13-0510 B	1
16-14-0020	1
16-15-0250	1
16-17-0420	8
16-17-0490	5
16-17-0510	1
16-17-0530	3
16-17-0680 C2	1
16-17-0725 A	1
16-21-0060 b	1
16-23-0020	1
16-23-0430	1
16-25-20 A C	5
16-25-20 A	9
16-25-65 A	1
17-25-0030	3
24-03-0950	1
44-53-0370 A	3
44-53-0370 B 2	5
44-53-0370 B 4	1
44-53-0370 C	2
44-53-0370 D 2	10
44-53-0370 D 3	8
44-53-0370 D 4	104
44-53-0375 B 1	1
44-53-0375 A	13
44-53-0375 B 1	1
44—53-0378	1
44-53-0390	2
44-53-0391	22
44-53-0420	1
44-53-0445 A	4
47-01-0040 B	4
50-05-0090 B	3
50-21-0112 B 1	1
50-21-0870 B 5	1
56-05-0750 B 1	2
56-05-1210 A 1	2
56-05-1220	6
56-05-1590	2

Attachment L

56-29-0030 C 1		1
59-150-0260 A		1
59-150-0260 B		1
59-67-0245		1
61-04-0050 A		7
61-04-0110		4
61-06-4020		1
61-06-4080		1
63-05-0070		7
63-19-2440		3

PTI (Adult)

9th Judicial Circuit

Charleston County

113-22		2
113-21		2
13-36C		1
16-03-0210(D)		2
16-03-0600(c)(1)		9
16-03-0600(d)(1)		5
16-03-0600(E)(1)		52
16-03-0910		1
16-03-1040(A)		2
16-03-1700(A)		3
16-03-1700 (c)		1
16-05-0050		1
16-09-0010(A)(1)		1
16-09-0320(B)		9
16-11-0020		3
16-11-0311		2
16-11-0312		1
16-11-0313		1
16-11-0325		3
16-11-0510(A)		14
16-11-0520(A)		5
16-11-0600		1
16-11-0610		3
16-11-0620		1
16-11-0640		4
16-11-0930		1
16-13-0010(A)		12
16-13-0030(A)		17
16-13-0030(B)		4
16-13-0110(A)		171
16-13-0135(B)(1)		1
16-13-0160(A)(1)		8
16-13-0180(A)		4
16-13-0180(B)		4
16-13-0230(A)		28
16-13-0240		7

Attachment L

16-13-0260		1
16-13-0420(A)		1
16-13-0430(A)(B)		2
16-13-0451		1
16-13-0510(B)		1
16-14-0020		6
16-14-0020, 100(b)		1
16-14-0060(a)(1-5)		5
16-14-0080(A)		1
16-15-0090		7
16-15-0130		1
16-17-0410		2
16-17-0420		4
16-17-0430(A)		3
16-17-0490		3
16-17-0530		55
16-17-0570		1
16-17-0720		1
16-17-0722(B)		2
16-17-0725(A)		5
16-21-0060(A)		3
16-21-0060(B)		1
16-21-0080		2
16-21-0090		1
16-21-0120		1
16-23-0020		13
16-23-0020,0050(A)(2)		1
16-23-0030		1
16-23-0410		3
16-23-0430		1
16-23-0460		1
16-23-0720(D)		1
16-25-0020(D)		16
16-25-20(A)&(c)		33
16-25-20 (A)		15
16-25-20(A) & (B)		2
17-25-0030		1
22-05-0150		2
22-31-0030		1
22-05-0150		2
23-31-0030		1
23-47-0080		1
24-13-0470		1
37-03-0110(A)		4
34-11-0060		3
40-43-0085(EF)		1
43-35-0085(B)		1
44-53-0365(A)		1
44-53-0370(a)		2

Attachment L

44-53-0370(b)(1)		8
44-53-0370(b)(2)		37
44-53-0370 (c)		3
44-53-370(d)(2)		44
44-53-0370(d)(3)		23
44-53-0370(d)(4)		183
44-53-0375(A)		15
44-53-0375(B)(1)		4
44-53-0390		9
44-53-0391		58
44-53-0398(E)		1
44-53-0440		1
44-53-0445(A)		4
44-53-1110		1
56-01-0515(1)		9
56-01-0515(2)		4
56-01-3360		2
56-05-0750(B)(1)		3
56-05-1220		2
56-05-1910		1
56-05-2920		2
56-05-2947		1
59-150-0260(A)		1
61-04-0050(A)		14
61-04-0110		7
61-06-4020		8
61-06-4025(a)		1
61-06-4080		2
63-05-0070		4
63-05-0080		3
63-19-2440		14
63-19-2450		5

PTI (Adult)

10th Judicial Circuit

Anderson County

00-00-0000		6
16-01-0055		1
16-03-0600(E)(1)		6
16-03-0655(B)(1)		1
16-09-0320(A)		2
16-11-0311		1
16-11-0312		1
16-11-0313		1
16-11-0510(A)		3
16-11-0520(A)		3
16-11-0620		1
16-13-0010(A)		1
16-13-0030(A)		1
16-13-0110(A)		22

Attachment L

16-13-0160(A)(1)		3
16-13-0230(A)		4
16-14-0040		1
16-17-0530		3
16-21-0060(B)		1
16-23-0020		8
16-25-0020(A)&(D)		2
16-25-0020(A)&(C)		4
24-13-0410		1
43-35-0085(C)		1
44-53-0370(d)(2)		1
44-53-0375(A)		1
44-53-365		2
44-53-370		11
44-53-370(b)(2)		1
44-53-370(d)(4)		18
44-53-375(A)		10
44-53-375(B)		1
44-53-390		1
56-01-0005		1
56-01-0460(A)(1)(a)		3
56-05-0750(B)(1)		1
56-05-2920		1
59-150-0260(A)		1
61-04-0050(A)		1
61-04-0110		4
61-06-4080		1
63-05-0070		3
63-05-0080		1
63-19-2440		2
16-17-0530		1
63-19-2440		2
63-19-2450		1

PTI (Adult)

11th Judicial Circuit

Edgefield County

44-53-0370(b)(2)		1
44-53-0370(d)(4)		2
44-53-0370(d)(2)		1
44-53-0375(A)		1

PTI (Adult)

11th Judicial Circuit

Saluda County

16-11-0325		1
16-23-0020		1
16-25-0020(D)		1
44-53-0370(b)(2)		1
47-01-0010(B)		1
63-05-0070		4

Attachment L

16-13-0030(B)		2
16-25-20(D)		2
16-23-0410		1
44-53-0370(d)(4)		1
56-05-0750(B)(1)		1

PTI (Adult)

11th Judicial Circuit

Lexington County

16-005-0120		1
16-011-0600		3
16-013-0230 B1		3
16-03-0600(D)		4
16-03-0600(E)		8
16-03-1700(A)		2
16-09-0320(B)		1
16-11-0312		2
16-11-0520(A)		1
16-13-0030(A)		2
16-13-0230		9
16-13-0240(3)		1
16-14-0020		1
16-17-0410		2
16-17-0530		5
16-17-0725(B)		1
16-23-0030		1
16-25-0020(D)		15
34-03-0110(A)		1
44-53-0040(B)		1
44-53-0370(b)(2)		3
44-53-0370(d)(2)		6
16-011-0520		1
16-011-0700 C1		1
16-023-0490		1
16-03-0600(D)(1)		1
16-03-0654		1
16-09-0320(A)		1
16-11-0110(c)		3
16-11-0510(A)		2
16-13-0010(A)		3
16-13-0160(A)(1)		2
16-13-0230(A)		4
16-13-110(B)1		55
16-14-0060(a)(1)		4
16-17-0420		1
16-17-0720		1
16-23-0020		2
16-23-0410		3
16-25-20 (D)		6
44-053-0391		7

Attachment L

44-53-0370(b)(1)		4
44-53-0370(c)		2
44-53-0370(d)(3)		1
44-53-0370(d)(4)		14
44-53-0420		2
56-001-0350		1
56-005-0740		1
56-10-0520		1
59-67-245		1
61-04-0110		2
63-19-2440		2
44-53-0375(A)		2
55-11-350		2
56-001-0460		3
56-05-0750(B)(1)		1
5-7-030		4
61-006-4020		1
63-05-0070		3

PTI (Adult)

11th Judicial Circuit

McCormick County

16-011-0700 C1		1
16-09-0320(B)		1
44-53-0370(d)(4)		2
63-19-2440		1
16-03-1040(A)		1
16-23-0430		1
63-05-0070		1

PTI (Adult)

12th Judicial Circuit

Florence County

00-00-0000		1
16-01-0040		2
16-013-0110 B1		28
16-017-0725		1
16-03-0600		1
16-03-0655(C)		1
16-11-0312(B)		2
16-11-0510(A)		2
16-13-0010(A)		10
16-13-0030(B)		1
16-13-01109(B)(2)		1
16-13-0230		1
16-13-0260(1)		1
16-17-0410		1
16-17-0470(B)		1
16-21-0100		1
16-25-0020(A)		3
3572		1

Attachment L

44-53-0370(d)(2)		1
44-53-0390		1
47-001-0040		1
58-017-4090		1
9-999-9		1
00-000-0013		2
16-011-0600		1
16-015-0090		2
16-025-0040		1
16-03-0600(E)(1)		3
16-11-0312		2
16-11-0510(B)		2
16-13-0010		1
16-13-0030(A)		1
16-13-0110(B)(1)		1
16-13-0160(A)(1)		17
16-13-0230(A)		7
16-14-0020		1
16-17-0420		1
16-17-0530		2
16-23-0020		2
16-25-0020(B)		1
44-53-0370(b)(2)		1
44-53-0370(d)(3)		2
44-53-370		15
56-05-1220		3
63-05-0070		1

PTI (Adult)

12th Judicial Circuit

Marion County

16-013-0110 B1		4
16-03-0600		3
16-17-0725(B)		1
44-53-0370(d)(2)		1
56-05-1240		1
16-013-0230 B2		1
16-03-0600(E)(1)		2
44-53-0370(b)(3)		1
63-05-0070		2

PTI (Adult)

15th Judicial Circuit

Georgetown County

56-005-2920		8
44-053-0370(d)4		3
16-013-0230(A)		2
16-013-0230(B)1		1
16-003-0600(E)1		1
44-053-0390(A)3		2
44-053-0370(D)2		2

Attachment L

16-13-0010(A)		1
44-053-0370(B)2		2
16-013-0110		1
16-13-0110(A)		1
16-011-0312		1
16-25-0020(A)		2
16-013-0030(B)1		1
16-03-0600(D)1		1
16-023-0410		1
56-005-2920		1
61-004-0110		1
63-019-2450		1
16-005-0050		1
56-001-0515		1
16-27-0040		1
16-023-0440		1
16-25-0065		1

PTI (Adult)

15th Judicial Circuit

Horry County

16-011-0313(B)		4
16-025-0020		2
44-053-0370(d)1		4
56-005-2920		26
16-003-0600(D)1		1
16-003-0600(c)1		12
16-011-0600		7
16-011-0700(c)1		2
16-013-0110		57
16-011-0510(B)2		1
16-011-0510(B)3		1
16-013-0180(2)		1
44-053-0375(A)		6
44-053-0370(d)3		32
44-053-0390(a)3		1
44-053-0370(d)2		13
16-17-0430		2
16-015-0090		2
16-23-0020		8
16-09-0320(A)		3
16-013-0160		8
44-053-0370(b)2		4
16-023-0410		2
44-053-0391		8
56-010-0260		1
22-003-0570		3
16-03-1710(A)		1
16-013-0010		10
16-013-0030(B)(1)		2
56-05-2390(1)		1

Attachment L

56-05-1220		5
61-004-0110		3
56-001-0515		1
61-009-0050		4
63-019-2440		9
63-019-2450		7
56-005-1030		2
16-009-0320(B)		1
63-05-0070		1
16-11-0520		2
61-006-4020		2
16-013-0240		4
16-013-0260		1
56-001-0510		1
16-013-0180(1)		1
16-013-0180(3)		2
16-013-0230(B)1		1
16-013-0230(B)2		1
16-013-0230(B)3		2
44-053-0370(b)3		1
16-011-0740		1
16-017-0410		2
61-009-0087		1
16-014-0020		1
16-001-0325		1
16-001-0055		1
16-014-0060		9
16-013-0430(c)1		1
16-016-0020(4)		3
56-001-0460		2
16-017-0530		11
16-021-0080		1
22-003-0560		1
20-007-0050		3
16-011-0313		1
16-011-0312		1
16-03-0600(D)(1)		1

Attachment L

**Pretrial Intervention (Adult)
Quarterly Reports
October 1-December 31, 2016
Criminal Offenses**

PTI (Adult)

1st Judicial Circuit

Calhoun County

16-9-320(B)		1
44-53-370(d)		1
44-53-370		1

PTI (Adult)

1st Judicial Circuit

Orangeburg County

13-13-0230(A)		1
16-13-0010(A)		1
16-13-0230(A)		1
16-13-230(A)		2
16-17-0722(B)		1
16-23-20		1
16-3-600(E)(1)		2
44-53-370(b)		2
44-53-370(d)		4
56-29-30 (c)		1
16-11-311		1
16-13-0110(B)(1)		11
16-13-110(B)		1
16-13-510		1
16-21-0080		1
16-25-0020(A)		1
44-53-370		4
44-53-370(c)		1
56-1-515(4)		1

PTI (Adult)

1st Judicial Circuit

Dorchester County

16-11-312		1
16-13-0110(B)(1)		5
16-17-0530		1
16-25-0020(E)		1
16-25-20 (D)		1
44-53-0370(b)(2)		3
44-53-0391		2
44-53-370(b)		2
44-53-375(A)		1
63-5-70		1
16-13-0030(A)		2
16-13-430(A)(B)		1
16-23-20		1
16-25-20(C)		3

Attachment L

16-3-600(D)(1)		1
44-53-0370(d)(4)		10
44-53-370		1
44-53-370(d)		1
61-04-0050(A)		1

PTI (Adult)

2nd Judicial Circuit

Aiken County

00-000-0004		2
16-013-0110 B1		11
16-03-600(E)		6
16-11-0312(A)		4
16-11-0620		1
16-13-0160(A)(1)		13
16-13-0470(A)(2)		1
16-14-0020		1
16-17-0530		2
16-23-0030		1
16-25-0020(B)		1
16-3-600(C)(1)		2
20-07-8920		1
20-07-8920		1
3742		1
44-053-0391		1
44-53-0370(a)		1
44-53-0370(c)		4
44-53-0375(A)		3
44-53-0445(A)		1
56-001-0515		1
56-05-0750(B)(1)		1
61-013-0287		1
63-05-0070		2
16-011-0510 B1		2
16-017-0530		1
16-11-0311		1
16-11-0312(B)		1
16-13-0030(A)		3
16-13-0230		9
16-13-30(B)		1
16-14-0060(A)(1)		4
16-23-0020		1
16-23-0430		1
16-25-0065		1
16-3-600(E)(1)		1
20-07-8925		1
44-053-0370 d2		1
44-53-0365(A)		3
44-53-0370(b)(2)		3
44-53-0370(d)(2)		2

Attachment L

44-53-0375(B)		1
44-53-370		21
56-025-0040		1
56-05-1220		1
61-04-0110		1

PTI (Adult)

2nd Judicial Circuit

Barnwell County

16-013-0110 B1		3
16-09-0320(A)		1
16-23-0020		1
16-03-600(E)		1
16-17-0530		1
63-05-0070		1

PTI (Adult)

2nd Judicial Circuit

Bamberg County

16-03-600(E)		1
44-53-0370(b)(2)		1
16-25-0020 D		1
61-04-0110		1

PTI (Adult)

2nd Judicial Circuit

Aiken County

00-000-0004		2
16-013-0110B1		11
16-03-600E		6
16-11-0312A		4
16-11-0620		1
16-13-0160A1		13
16-13-0470A2		1
16-14-0020		1
16-17-0530		2
16-23-0030		1
16-25-0020B		1
16-3-600C1		2
20-07-8920		1
20-07-8920		1
3742		1
44-053-0391		1
44-53-0370a		1
44-53-0370c		4
44-53-0375a		3
44-53-0445a		1
56-001-0515		1
56-05-0750B1		1
61-013-0287		1
63-05-0070		2

Attachment L

16-011-0510B1		2
16-017-0530		1
16-11-0311		1
16-11-0312B		1
16-13-0030A		3
16-13-0230		9
16-13-30B		1
16-14-0060A1		4
16-23-0020		1
16-23-0430		1
16-25-0065		1
16-0-600E1		1
20-07-8925		1
44-053-0370d2		1
44-53-0365A		3
44-53-0370b2		3
44-53-0370d2		2
44-53-0375B		1
44-53-370		21
56-025-0040		1
56-05-1220		1
61-04-0110		1

PTI (Adult)

6th Judicial Circuit

Fairfield County

16-03-0600(D)(1)		1
16-013-0030		1
44-53-0370		1
44-53-0370(d)(4)		1

PTI (Adult)

7th Judicial Circuit

Cherokee County

00-00-0000		1
16-03-0600(E)(1)		2
16-13-0030(A)		1
16-13-0030(B)(1)		1
16-13-0110(A)		1
16-13-0110(B)		1
16-13-0110(B)(1)		5
16-13-0160(A)(1)		1
16-13-0180A		1
16-13-0230B1		1
16-23-0020		1
44-53-0040(B)		1
44-53-0370(d)(3)		1
44-53-0370(D)(4)		2
44-53-0375(A)		1
56-29-0030(c)1		2
63-05-0070		2

Attachment L

63-19-2440		1
955		1
CO16-29		1

PTI (Adult)

7th Judicial Circuit

Spartanburg County

16-03-0600E1		1
16-03-0600(D)(1)		1
16-03-0600(E)(1)		1
16-09-0320(A)		2
16-11-0510		4
16-11-0510(A)		2
16-11-0620		2
16-13-0010		1
16-13-0010(A)		6
16-13-0030(A)		5
16-13-0110(A)		5
16-13-0110(B)		16
16-13-0110(B)(1)		4
16-13-0230 B1		5
16-13-0230 B2		1
16-13-0230(B)(1)		2
16-13-0240		7
16-13-0420(A)		1
16-14-0060(a)(1)		2
16-17-0530		3
16-17-0680(D)		1
16-17-0722(B)		1
16-21-0080 (3)		1
16-23-0020		3
20-07-8925		2
24-03-0950		3
44-53-0370 (c)		1
44-53-0370(d)(2)		1
44-53-0370 (D)(4)		27
44-53-0375(A)		1
44-53-0390		1
44-53-0391		5
44-53-0395		1
56-01-0515(4)		1
56-05-0750(B)(1)		1
56-05-2920		1
59-150-0400(D)		1
61-04-0050(A)		2
61-06-4020		1
63-05-0070		2
63-19-2440		1
63-19-2450		1
CO 16-28		3

Attachment L

PTI (Adult)

8th Judicial Circuit

Abbeville County

16-25-0020		1
16-003-0600		1
16-009-0320		1
16-017-0530		3
22-005-0150		1

PTI (Adult)

8th Judicial Circuit

Greenwood County

16-003-1040		1
16-011-0510		1
16-013-0110		16
16-013-0230		1
16-014-0060		1
16-015-0090		1
16-017-0420		1
16-017-0530		1
16-023-0020		2
16-023-0410		1
16-025-0020		1
16-13-0110		1
16-131-110		1
16-23-0020		1
16-23-0030		1
16-23-0370		1
16-23-0420		1
16-23-0445		1
22-005-0150		6
44-053-0370		15
44-053-0375		3
44-053-0390		3
44-053-0391		1
44-053-0398		2
44-53-0370		1
44-53-0391		1
47-001-0040		2
56-001-0460		1
61-004-0110		1
63-005-0070		1
69-19-2440		1

PTI (Adult)

8th Judicial Circuit

Laurens County

16-003-0600		1
16-011-0330		1
16-011-0620		1
16-013-0030		1
16-013-0110		2

Attachment L

16-013-0230		2
16-013-0240		1
16-013-0240		1
16-017-0510		2
16-023-0020		1
16-023-0440		1
16-023-0490		1
22-005-0150		1
44-0530-0370		13
44-053-0375		1
44-053-0390		1
44-096-0450		1
44-530-370		1
48-001-0090		1
56-001-0440		1
56-005-0750		1
56-005-1220		1
56-010-0520		1
61-004-0110		1
63-005-0070		1

PTI (Adult)

8th Judicial Circuit

Newberry County

16-011-0330		1
16-013-0110		2
16-013-0230		1
16-023-0020		1
16-25-0020		2
16-03-0210		1
16-110-600		1
16-17-0410		1
22-005-0150		3
44-053-0370		5
44-053-03701		1
44-053-0391		1
44-53-0370		1

PTI (Adult)

11th Judicial Circuit

Saluda County

16-17-0490		1
44-53-0370(b)(1)		3
44-53-0370(d)(4)		1
61-004-0050		2
16-23-0020		1
44-53-0370(b)(2)		1
44-53-0375(A)		1
61-006-4020		1

Attachment L

PTI (Adult)

11th Judicial Circuit

Edgefield County

16-13-0010(A)		1
44-53-0370(d)(4)		2
16-25-0020(D)		2

PTI (Adult)

11th Judicial Circuit

Lexington County

16-01-0055		1
16-011-0510B1		1
16-03-0600(E)		1
16-11-0312		1
16-13-0030(A)		3
16-13-0160(A)(1)		2
16-13-0230(A)		14
16-13-110(B)1		24
16-14-0060(a)(1)		2
16-17-0410		3
16-17-0722(B)		2
16-21-0060(A)		1
16-23-0020		11
16-23-0410		2
16-25-0020(D)		18
17-025-0030		1
44-053-0391		11
44-53-0365(A)		3
44-53-0370(b)(1)		3
44-53-0370(c)		3
44-53-0370(d)(3)		3
44-53-0375(B)		1
16-011-0510b(2)		2
16-011-0510B2		1
16-11-0110(C)		1
16-11-0313		6
16-13-0030(B)		5
16-13-0180(A)		1
16-13-0240(3)		4
16-14-0060(A)		1
16-15-0130		1
16-17-0420		1
16-17-0725(B)		2
16-21-0080		1
16-23-0030		2
16-23-0720(D)		1
16-25-20(D)		5
44-053-0370		1
44-053-0445A		1
44-53-0365(B)(1)		2
44-53-0370(b)(2)		8

Attachment L

44-53-0370(d)(2)		7
44-53-0370(d)(4)		25
44-53-0375(A)		2
44-53-0445(A)		2
56-003-1350		1
56-05-0750(B)(1)		2
56-05-1590		1
5-7-030		4
59-150-0260(B)		1
61-04-0110		2
56-001-0460		1
56-005-2920		1
56-05-1210(A)(1)		1
56-10-0520		1
59-150-0260(A)		3
61-006-4020		1
63-05-0070		1

PTI (Adult)

11th Judicial Circuit

McCormick County

16-13-0010(A)		2
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PTI (Adult)

12th Judicial Circuit

Marion County

00-00-0000		1
16-011-0020		1
16-013-0110B1		4
16-03-0600		2
16-05-0050		1
16-11-0520(A)		2
16-14-0060(a)(1)		12
16-17-0490		1
16-25-0020(A)		2
16-25-0065(A)		1
44-53-0370(d)(2)		1
44-53-0390		3
44-53-370		3
56-05-0750(B)(1)		1
00-000-0014		1
16-011-0312		1
16-025-0040		1
16-03-0600(D)(1)		2
16-09-0320(B)		1
16-13-0030(A)		2
16-17-0430(A)		1
16-23-0490		1
16-25-0020(A)		1
44-53-0370(b)(2)		1
44-53-0370(d)(3)		2
44-53-0420		2

Attachment L

47-03-0440		1
59-150-0260(A)		1
16-03-0600(E)(1)		1

PTI (Adult)

12th Judicial Circuit

Florence County

16-01-0055		1
16-011-0510b(2)		1
16-013-0110 B1		20
16-015-0090		1
16-03-0600(D)(1)		1
16-03-1040(A)		1
16-09-0320(B)		1
16-11-0325		1
16-11-0510(A)		1
16-13-0030(A)		1
16-13-0110(A)		1
16-17-0410		3
16-23-0020		2
16-25-0020(A)		1
20-07-8925		1
22-005-0150		1
44-53-0370(b)(2)		2
44-53-0370(d)(2)		2
44-53-0390		1
47-01-0040(A)		1
61-04-0050(A)		2
63-05-0070		3
16-011-0313B		1
16-011-0600		1
16-013-0230B2		1
16-03-0600		2
16-03-0600(E)(1)		2
16-09-0320(A)		1
16-11-0311		1
16-11-0510(B)		1
16-13-0010(A)		6
16-13-0030(B)		6
16-13-0230(A)		5
16-17-0530		5
16-25-0020(A)		3
16-25-0020(B)		2
21-095-0000		1
34-03-0110(A)		3
44-53-0370(c)		1
44-53-0370(d)(3)		3
44-53-370		18
56-05-1210(A)(1)		2
61-04-0110		2

Attachment L

44-53-0370(b)(1)		1
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PTI (Adult)

12th Judicial Circuit

Marion County

44-53-0370 (b)(2)		1
44-53-370		1
16-09-0320(B)		3
16-23-0030		1
44-53-0370(d)(3)		1
44-53-0375(B)(1)		1
16-23-0020		1
16-23-0430		1
44-53-0370(b)(2)		2
16-23-0430		1
44-53-0370(b)(2)		2
44-53-0370(f)		1
44-53-0445(B)(1)		3
16-013-0110 B1		8
16-03-0625		1
16-17-0420		1
16-17-0530		2
61-04-0110		1
16-03-0600		4
16-11-0510 (A)		1
16-17-0430(A)(1)		1
44-53-370		6

PTI (Adult)

15th Judicial Circuit

Horry County

16-09-0320(A)		5
56-005-2920		22
16-011-0600		3
16-003-0600 (c)1		16
16-013-0260		1
16-013-0110		19
16-13-0110(A)		12
16-013-0180(1)		1
16-013-0180(2)		2
16-013-0230(B)(1)		1
16-013-0230(B)3		2
16-013-0240		3
16-014-0020		1
16-014-0040		3
16-014-0060		2
16-015-0130		1
16-017-0490		7
16-017-0530		11
16-017-0570		1
16-017-0722		1
16-023-0020		1

Attachment L

16-025-0020		2
16-003-0600(D)1		1
16-003-0600(c)1		6
16-011-0312		1
16-011-0510(B)2		3
16-011-0520		1
16-013-0010		1
16-013-0030(B)1		2
16-013-0160		3
16-017-0410		1
20-007-0050		1
16-021-0080		1
22-003-0560		2
16-25-0065		1
22-003-0570		5
16-013-0230(B)2		6
16-023-0030		2
24-013-0471		1
44-053-0370(d)2		14
44-053-0370(d)1		14
44-053-0370(b)2		10
44-053-0370(d)3		10
44-053-0391		6
44-053-0375(A)		2
44-053-0370(d)4		34
56-001-0020		1
63-019-2440		6
63-019-2450		4
61-04-0110		2
56-005-1030		1
56-05-1220		1
61-009-1220		1
61-009-0087		2
56-001-0460		3
56-05-2920		8
61-006-4020		4
61-009-0050		1
61-013-0270		1
61-013-0290		4
61-013-0287		1

PTI (Adult)

15th Judicial Circuit

Georgetown County

56-005-2920		1
44-053-0370(D)3		5
56-005-2920		1
44-053-0370(D)2		3
44-053-0370(B)2		4
63-019-2450		1

Attachment L

44-053-0391		2
16-27-0040		1
44-053-0445(A)		1
63-019-2440		1
16-005-0050		1
16-25-0020(A)		1
16-013-0010(A)		1
16-013-0160(1)2		1
44-53-0370(d)1		1
44-53-0390		1
56-05-0750(B)1		1

Attachment L

Pretrial Intervention (Adult) Quarterly Reports January 1-March 31, 2017 Criminal Offenses

PTI (Adult)

1st Judicial Circuit

Calhoun County

16-23-410		1
44-53-370		1
44-53-370(b)		1
44-53-370(c)		1
44-53-391		1

PTI (Adult)

1st Judicial Circuit

Dorchester County

16-03-0600(E)		2
16-11-0510(B)(3)		1
16-11-312		6
16-11-520(B)		2
16-13-0010(A)		2
16-13-0030(A)		3
16-13-0110(B)(1)		4
16-13-110(b)		1
16-14-20		1
16-14-60(a)		2
16-17-0530		1
16-17-490		1
16-23-0030		1
16-23-20		3
16-23-30		1
16-23-410		1
16-25-20(C)		2
16-25-20(D)		3
16-3-600(E)(1)		1
181012828		1
44-53-0370(d)(4)		12
44-53-375(A)		1
44-53-0391		7
44-53-370		6
44-53-370(a)		1
44-53-370(b)		14
44-53-370(c)		1
44-53-370(d)		3
44-53-370(g)		1
44-53-375		2
44-53-390		14

Attachment L

44-53-391		1
56-5-1220		1
61-04-0050(A)		1
61-04-0110		4
63-19-2450		1
63-5-70		1

PTI (Adult)

1st Judicial Circuit

Orangeburg County

13-13-0230(A)		2
16-03-0600(E)		6
16-11-0620		1
16-11-510(A)		2
16-13-0010(A)		2
16-13-1001(B)(1)		4
16-13-0180(A)		2
16-14-20		1
16-14-60(a)		2
16-17-0530		3
16-17-410		1
16-17-420		4
16-17-530		1
16-23-20		1
16-3-600(c)(1)		1
16-3-600(E)(1)		2
16-09-320(A)		1
16-9-320(A)		1
44-53-370		4
44-53-370(b)		1
44-53-370(c)		2
44-53-370(d)		4
44-53-370(e)		1
56-5-1590		2
61-04-110		1
61-4-50		1

PTI (Adult)

3rd Judicial Circuit

Sumter County

07-025-0170		1
16-011-0535		2
16-023-0410		1
16-025-0040		2
16-03-0600(D)		1
16-13-0110(b)		1
16-14-0060(A)		1
16-17-0490		1
16-23-0020		2
16-23-0030		1
16-25-0020		1

Attachment L

44-053-0370b2		8
44-053-0370d2		1
44-053-0375A		1
44-053-0390		2
44-53-0370(d)(2)		2
44-53-0370(d)(3)		1
44-53-0370(d)(4)		1
44-53-0370		1
56-001-0515		1
63-05-0070		1
63-19-2450		1
16-013-0110B1		9
16-13-0110(B)		12
16-13-0110(B)(1)		2
16-17-0530		1
44-53-370		2
61-06-4050(a)		1
16-025-0040		1
16-11-0510(B)		1
44-53-370		1

PTI (Adult)

3rd Judicial Circuit

Clarendon County

16-011-0311		2
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PTI (Adult)

3rd Judicial Circuit

Williamsburg County

16-025-0040		1
16-13-0010(A)		3
16-13-0230(A)		1
44-053-0365		1
44-53-370(b)(1)		1
44-53-0370(b)(2)		1
44-53-0370(d)(2)		1
44-53-0370(d)(3)		1
44-053-0370d3		1
16-03-0600(C)		1

PTI (Adult)

3rd Judicial Circuit

Lee County

16-23-0020		1
44-53-0370(B)		1
44-53-0375(A)		1
44-053-0370d3		1
44-53-370		1

PTI (Adult)

6th Judicial Circuit

Lancaster County

16-03-0600(E)(1)		2
16-013-0600(C) (1)		3

Attachment L

22-05-0150		2
22-05-0150		2
16-13-0230(A)		1
16-13-0160		1
16-11-0312		4
16-011-0313		2
24-03-0950		2
16-17-0530		2
44-53-370(B)(1)		1
16-25-0020(A)		10
16-21-0050		1
16-14-0060(B)(1)		2
16-013-0010		1
16-013-0030		1
16-15-0130		2
56-05-1210		2
59-150-0260		7
16-011-0510(B)(2)		1
16-13-0240(2)		5
16-13-0030(A)		3
16-023-0410		1
20-007-0370		1
44-53-0370(d)(2)		4
44-053-0375(A)		1
44-053-0391		5
44-53-0370		5
16-23-0030		1
44-53-0370(e)(3)		1
44-53-0370(d)(4)		1
16-013-0180		2
56-05-2920		1
16-21-0040(A)(2)		1
16-09-0320(A)		1
16-09-0320(B)		2
16-13-0110		2
16-23-0020		3
63-05-0050		5
16-021-0060(A)		1

PTI (Adult)

6th Judicial Circuit

Fairfield County

16-11-0130		1
16-13-0230(A)		1
16-17-0490		1
16-17-0530		1
44-053-0370(b)(2)		1
16-25-0020(A)		2
16-013-0170		1
44-53-0370(d)(2)		2

Attachment L

44-53-0370		1
44-53-0370(d)(4)		1

PTI (Adult)

6th Judicial Circuit

Chester County

16-27-0030		1
16-03-0600(D)(1)		1
44-053-0420		1
16-17-0490		2
16-25-0020(A)		1
61-05-0020		1
44-53-0370(d)(2)		2
44-53-0370		6
16-015-0090		1
44-53-0370(B)(1)		1
44-53-0370(d)(4)		1
16-13-0110		1
16-23-0020		02

PTI (Adult)

7th Judicial Circuit

Spartanburg County

16-03-0600(E)(1)		2
16-05-0050		1
16-09-0320(A)		1
16-09-0320(B)		1
16-11-0190		1
16-11-0510		10
16-11-0510(A)		1
16-11-0520(B)(3)		1
16-11-0620		2
16-11-0640		1
16-13-0010(A)		2
16-13-0030(A)		3
16-13-0030(B)(2)		1
16-13-0110(A)		4
16-13-0110(B)		7
16-13-0110(B)(1)		3
16-13-0160(A)(1)		1
16-13-0180A		1
16-13-0230B1		4
16-13-0230(B)(1)		1
16-13-0240		1
16-14-0060(a)(1)		3
16-17-0530		3
16-17-0722(B)		1
16-23-0020		2
20-07-0070		1
42101592613		2
43-07-0070		1
44-53-0040(B)		1

Attachment L

44-53-0370(c)		2
44-53-370(d)(2)		6
44-53-0370(D)(4)		24
44-53-0391		4
47-01-0040(B)		1
56-05-0750(B)(1)		5
56-05-1240		1
56-05-2920		1
63-05-0070		1
63-05-0080		2
63-19-2450		1
64-04-0110		2

PTI (Adult)

7th Judicial Circuit

Cherokee County

16-03-0600E1		1
16-03-0600(E)(1		2
16-11-0510(A)		1
16-11-0640		1
16-13-0010(B)2		2
16-13-0110(A)		2
16-13-0110(B)		1
16-13-0180A		1
16-21-0060A		1
16-23-0020		2
16-23-0030		1
16-23-0460		1
40-43-0086(EE)		1
44-53-0370(c)		1
44-53-0370(D)(4)		10
63-19-2440		1
Public Drunk		1

PTI (Adult)

8th Judicial Circuit

Laurens County

16-003-1050		1
16-013-0160		1
16-013-0230		10
16-017-0420		1
16-017-0490		1
16-017-0700		1
16-023-0020		1
16-023-0030		1
16-023-0410		1
16-025-0020		1
22-005-0150		3
39-013-0010		1
44-053-0370		13

Attachment L

44-053-0375		4
44-053-0376		1
56-005-0750		1
61-004-0110		1
61-004-0900		2
63-005-0070		2

PTI (Adult)

8th Judicial Circuit

Greenwood County

16-003-1720		1
16-003-1730		1
16-011-0313		1
16-013-0010		1
16-013-0030		1
16-013-0110		9
16-013-0230		2
16-013-0240		1
16-017-0420		2
16-017-0430		1
16-017-0530		2
16-023-0020		2
16-025-0020		2
16-09-320		1
16-11-0030		1
16-11-620		1
16-13-0110		1
16-13-0230		1
16-17-0530		2
16-17-420		1
22-005-0150		3
39-015-1190		2
44-053-0365		1
44-053-0370		8
44-053-0390		1
56-001-0460		3
56-010-0520		1
59-150-0260		1
61-004-0900		1
61-006-0420		1
63-005-0070		1

PTI (Adult)

8th Judicial Circuit

Abbeville County

16-003-0210		1
16-003-0600		1
22-005-0150		1
44-053-0370		2
56-001-0515		1
61-004-0900		1

Attachment L

63-005-0070		2
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PTI (Adult)

8th Judicial Circuit

Newberry County

07-25-0210		1
16-009-0320		1
16-011-0510		1
16-013-0100		1
16-013-0230		1
16-014-0060		1
16-17-0530		2
16-017-0725		1
16-025-0020		2
16-13-0030		1
44-053-0370		14
44-053-0391		7
44-53-370		1
56-005-0750		1
61-004-0110		2
61-04-0110		1

PTI (Adult)

10th Judicial Circuit

Oconee County

Concealed weapon violation		1
Possession of drug paraphernalia		2
16-03-0600(E)(1)		1
16-11-0325		1
16-13-0110(A)		3
16-17-0720		1
16-21-0040(A)(2)		1
16-23-0490		1
16-25-0065(A) & (B)		1
40-43-66(E)		1
44-53-370		4
44-53-370(b)(2)		1
4-53-370(d)(4)		2
44-53-375(A)		1
44-53-375(C)		1
56-29-0030(C)(1)		1
63-05-0070		1
63-19-2450		1

PTI (Adult)

11th Judicial Circuit

Edgefield County

16-011-0600		1
16-23-0430		1
16-25-0020(D)		2
44-53-370(b)(2)		1
44-53-0370(d)(4)		8

Attachment L

63-05-0070		1
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PTI (Adult)

11th Judicial Circuit

Lexington County

16-005-0120		1
16-01-0055		1
16-011-0510B1		1
16-011-0510B2		1
16-013-0160		1
16-014-0060		1
16-017-0490		1
16-017-0725		1
16-03-0210(C)		1
16-03-0210(D)		3
16-03-0600(D)		3
16-03-0600(E)		5
16-03-0920		1
16-09-0320(A)		1
16-09-0320(A)		1
16-11-0312		1
16-11-0313		2
16-11-0325		3
16-11-510(B)		1
16-13-0010(A)		15
16-13-0030(A)		6
16-13-0030(B)		2
16-13-0160(A)(1)		2
16-13-0180(A)		3
16-13-0230(A)		16
16-13-0240		3
16-13-0510		2
16-13-110(B)1		58
16-14-0020		2
16-14-0060(a)(1)		2
16-17-0410		8
16-17-0530		4
16-17-0720		1
16-21-0060(A)		1
16-21-0060(B)		1
16-23-0020		2
16-23-0030		1
16-25-0020(D)		12
16-25-20(D)		9
17-025-0030		1
24-03-0950		1
34-03-0110(A)		2
44-053-0370d1		1
44-53-0370d2		1
44-053-0391		9

Attachment L

44-53-0365(A)		2
44-53-0365(B)(1)		2
44-53-0370(a)		2
44-53-0370(b)(1)		2
44-53-0370(b)(2)		8
44-53-0370(c)		2
44-53-0370(d)(2)		10
44-53-0370(d)(3)		1
44-53-0370(d)(4)		21
44-53-0375(A)		5
44-53-0390		4
44-53-0445(A)		2
47-01-0040(A)		1
55-11-350		2
56-001-0460		1
56-025-0040		1
56-05-0750(B)(1)		2
56-05-1220		1
56-05-1810		1
5-7-030		6
61-004-0050		1
61-004-0090		1
61-06-4020		1
63-05-0070		5
63-19-2440		5

PTI (Adult)

11th Judicial Circuit

McCormick County

16-13-0030(A)		1
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PTI (Adult)

11th Judicial Circuit

Saluda County

16-011-0510B2		2
16-03-0600(D)		2
16-03-0600(E)		1
16-21-0060(B)		1
16-23-0020		1
16-23-0410		1
16-25-20(D)		2
44-53-0370(a)		1
44-53-0370(d)(2)		1
44-53-0370(d)(3)		1
44-53-0370(d)(4)		1
44-53-0375(A)		2
63-05-0070		2

Attachment L

PTI (Adult)

15th Judicial Circuit

Georgetown County

56-005-2920		1
44-053-0370(D)3		2
0056-005-2920		3
44-053-0370(D)2		1
44-053-0370(B)2		1
16-003-1710(B)		1
16-017-0430		2
16-017-0490		1
61-004-0110		1
50-011-0770		1
20-007-0050		2
16-23-0020-005		1
16-017-0530		2
16-025-0020(A)		1
16-13-0110(A)		1
16-13-0240(1)		2
44-053-0375(A)		1

PTI (Adult)

15th Judicial Circuit

Horry County

00-000-0005		1
00-014-0309		1
0000-000-0020		1
16-011-0313(B)		8
00-014-0310(A)		1
16-003-0600(1)		2
16-009-0320(B)		1
56-005-2920		24
16-003-0210(D)		3
16-003-0600(1)		1
16-007-0500(E)1		1
16-11-0550		1
16-013-0110		22
16-013-0160		4
16-013-0180(1)		1
16-013-0180(2)		1
16-013-0230(B)3		1
16-013-0030(B)2		4
16-013-0240		3
16-015-0090		2
16-017-0420		1
16-017-0725		2
16-023-0020		9
16-017-0530		8
16-017-0722		1
16-023-0030		2
16-23-0410		3

Attachment L

44-053-0370(d)2		9
44-053-0370(d)3		41
44-053-0391		13
44-053-0370(d)1		10
44-053-0370(d)4		6
44-53-0445(A)		1
44-053-0370(b)1		4
45-053-0390		3
56-001-0460		4
56-005-2920		11
63-019-2450		4
61-004-0110		5
61-006-4020		2
61-009-0050		5
61-009-0087		1
61-013-0287		1
61-013-0290		3
63-019-2440		4
56-05-5040		1
56-005-0750		2
56-005-1030		1
56-005-2947		1
56-05-1220		5
56-010-0260		3
56-005-1210(A)1		1
56-005-1220		1
56-05-1240		2
56-05-1230		2
20-007-0050		9
22-003-0570		8
22-05-0150		1
16-025-0020		4
16-25-0020(A)		1
16-03-0600(C)1		1
16-003-0600(D)1		5
16-003-0600(1)		7
16-03-0654		1
16-09-0320(A)		3
16-011-0312		1
16-11-0510(A)		2
16-11-0510(B)2		3
16-013-0030		2
16-13-0110(A)		18
16-013-0160(1)2		4
16-013-0230(A)		3
16-013-0240(1)		1
16-17-0470(B)		1
16-021-0080		1
16-23-0050		1

Attachment L

16-23-0420		1
23-31-0400(c)		1
34-11-0800		1
44-053-0370(b)1		1
44-053-0370(b)2		4

Attachment L

**Pretrial Intervention (Adult)
Quarterly Reports
April 1 – June 30, 2017
Criminal Offenses**

PTI (Adult)

1st Judicial Circuit

Dorchester County

16-03-0210(D)		3
16-11-0312		1
16-13-0010		2
16-13-0030(A)		1
16-13-0180(1)		2
16-13-160(A)		3
16-13-30(B)		1
16-17-0530		1
16-17-722(B)		1
16-25-0020(A)		1
16-25-20(C)		1
16-3-600(D)(1)		2
44-53-0370(d)(4)		8
44-53-370		1
44-53-370(c)		2
44-53-375(A)		5
61-04-0050(A)		1
63-19-2450		1
16-03-0600(E)		1
16-11-312		1
16-13-0010(A)		1
16-13-0110(B)(1)		2
16-13-110(B)		1
16-13-230(A)		1
16-14-60(a)		1
16-17-420		5
16-23-410		1
16-25-0020(E)		1
16-25-20(D)		4
34-3-110(A)		1
44-53-0391		6
44-53-370(b)		7
44-53-370(d)		3
44-53-390		1
61-04-0110		1

PTI (Adult)

3rd Judicial Circuit

Clarendon County

44-53-0370(d)(3)		1
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Attachment L

44-53-0375(A)		1
44-53-370		3
44-053-0391		2
44-53-370		6

PTI (Adult)

3rd Judicial Circuit

Lee County

08-001-0080		1
16-23-0020		1
24-003-0950		1
44-53-0370(B)		1

PTI (Adult)

3rd Judicial Circuit

Sumter County

00-000-0013		1
16-013-0010		1
16-17-0410		1
16-023-0410		1
16-13-0010(A)		2
16-13-0160(A)(1)		2
16-17-0490		1
16-17-0722(B)		1
16-21-0080		1
16-23-0020		2
16-23-0030		3
16-23-0410		1
38-055-0170		1
44-053-0370 d3		2
47-001-0040		3
56-05-0750(B)(1)		1
00-00-0000		1
16-013-011 B1		8
16-025-0040		1
16-11-0510(B)(1)		1
16-13-0110(B)		4
16-13-0230(A)		1
16-17-0725(B)		1
22-003-0560		1
44-053-0370 d3		1
22-005-0150		1

PTI (Adult)

3rd Judicial Circuit

Williamsburg County

16-003-1040		1
16-016-0020		6
16-025-0040		1
16-17-0490		1
16-25-0020		3
44-053-0370		2
44-53-0370(B)		1

Attachment L

44-53-445		1
56-005-2920		1
56-05-0750(B)(1)		1
63-05-0070		2
16-013-0030		1

PTI (Adult)

6th Judicial Circuit

Chester County

16-003-0600(D)(1)		1
16-03-0600(E)(1)		1
56-05-0750(B)(1)		2
16-23-0440		1
44-053-0370(D)(1)		1
44-53-0370		3
44-53-0375(A)		2
44-053-0370(B)(1)		1
44-53-0370(d)(4)		1
44-53-0365(B)(1)		1
16-23-0030		1
61-005-0020		1

PTI (Adult)

6th Judicial Circuit

Fairfield County

16-011-0313		3
16-25-0020(A)		1
16-14-0060(B)(1)		1
44-53-0370		1
63-05-0050		1
16-021-0060(A)		1

PTI (Adult)

6th Judicial Circuit

Lancaster County

16-13-0230(A)		3
16-13-0160		1
16-11-0312		2
16-011-0313		1
16-25-0020(A)		2
16-25-0020(A)		3
16-14-0060(B)(1)		5
16-013-0030		1
56-05-1220		2
56-05-1220		1
16-011-0520		1
61-05-0020		2
16-023-0410		1
20-007-0370		3
44-053-0370(D)(1)		5
44-53-0370(d)(2)		5
44-053-0391		1
56-05-5030		1

Attachment L

44-53-00370		5
16-023-0030		1
44-53-0370(d)(4)		3
16-13-0110		3
63-05-0050		1
16-23-0030		3
61-005-0020		1
16-23-0430		1

PTI (Adult)

7th Judicial Circuit

Cherokee County

118		1
16-03-0600B2		2
16-11-0620		1
16-11-0640		1
16-13-0010B2		2
16-13-0110A		5
16-13-0110(B)		1
16-13-0110(B)(1)		3
16-13-0160(A)(1)		1
16-14-0060(a)		2
16-17-0490		7
16-23-0410		1
20-07-0050		2
23-31-0400©		1
44-53-0370©		3
44-53-0370(d)(2)		1
44-53-0370(D)(4)		6
63-05-0070		1

PTI (Adult)

7th Judicial Circuit

Spartanburg County

16-03-0600B2		2
16-03-0600(E)(1)		6
16-09-0320(A)		1
16-11-0510(A)		10
16-11-0510(B)(3)		11
16-11-0620		1
16-11-640		1
16-13-0030(A)		3
16-13-0110(A)		4
16-13-0110(B)		13
16-13-0110(B)(1)		1
16-13-0230B1		2
16-13-0230B2		2
16-13-0230(A)		1
16-13-0230(B)(1)		1
16-13-0240		3
16-13-0420(A)		1
16-14-0060(a)(1)		2

Attachment L

16-17-0420		1
16-17-0490		1
16-17-0530		4
16-17-0722(B)		2
16-23-00020		3
16-23-0030		1
16-23-0430		1
16-23-0440(A)		1
23-47-0080		1
24-13-0420		1
44-53-0370(d)(2)		1
44-53-0370(d)(3)		1
44-53-0370(D)(4)		28
44-53-0375(A)		2
44-53-0391		9
61-04-0050(A)		3
61-06-4080		1
63-19-2450		2
64-04-0110		2

PTI (Adult)

8th Judicial Circuit

Laurens County

16-003-0210		3
16-003-0600		1
16-013-0110		2
16-013-0230		1
16-017-0410		1
16-017-0722		1
16-023-0020		3
22-005-0150		6
44-053-0370		13
44-053-0391		4
44-53-370		2
63-005-0070		1

PTI (Adult)

8th Judicial Circuit

Newberry County

16-13-0030		1
16-017-0530		1
16-023-0020		1
16-023-0490		1
16-023-0490		1
16-025-002		1
16-25-0020		2
22-005-0150		1
44-053-0370		6
44-053-0375		1
44-053-0391		3
61-004-0110		1

Attachment L

PTI (Adult)

8th Judicial Circuit

Greenwood County

00-000-612		1
15-13-110		1
16-03-0210		1
16-009-0320		1
16-013-0110		1
16-011-0312		1
16-011-0510		1
16-011-0520		1
16-013-0110		8
16-013-0160		1
16-013-0230		1
16-014-0020		1
16-014-0040		1
16-017-0420		1
16-017-0530		5
16-017-0722		1
16-023-0410		1
16-025-0020		1
16-11-0313		1
16-13-0030		1
16-13-110		1
16-25-0020		1
22-005-0150		3
40-53-0375		1
40-53-0375		1
44-053-0040		1
44-053-0370		23
44-053-0445		1
44-53-0370		1
44-53-0375		1
44-53-0376		1
56-001-0460		1
56-001-3400		1
56-010-0225		2
56-010-0520		1
61-004-0110		3
61-004-0900		1

PTI (Adult)

8th Judicial Circuit

Abbeville County

16-011-0312		1
16-011-0510		2
16-011-0535		1
16-013-0230		1
16-013-0260		1
16-017-0530		1

Attachment L

16-017-0600		1
16-023-0410		1
16-023-0500		1
16-025-0020		1
16-17-0420		1
44-053-0370		3
44-053-0370B1		3
44-053-0375		1
63-005-0070		1

PTI (Adult)

10th Judicial Circuit

Oconee County

Drug Paraphernalia		1
16-03-0600(B)(1)		1
16-03-0600(D)(1)		1
16-03-0600(E)(1)		6
16-11-0311		1
16-11-0325		2
16-13-0110(A)		5
16-13-0230(A)		1
16-14-0020		2
16-14-0060(a)(1-5)		1
16-14-0080(A)		3
16-17-0420		1
16-23-0410		2
16-25-0020(A) &(C)		4
44-53-370		3
44-53-370(b)(2)		3
44-53-370(d)(2)		3
44-53-370(d)(4)		4
44-53-375(A)		1
56-05-1220		1
63-19-2450		1

PTI (Adult)

10th Judicial Circuit

Anderson County

00-00-0000		4
16-03-0600(D)(1)		1
16-03-0600(E)(1)		1
16-11-0020		1
16-11-0520(A)		1
16-11-0620		1
16-13-0030(B)		3
16-13-0110(A)		19
16-13-0160(A)(1)		1
16-13-0180(A)&(C1)		1
16-13-0230(A)		3
16-17-0420		1
16-17-0430(A)		1

Attachment L

16-17-0490		1
16-17-0530		6
16-17-0725(A)		1
16-23-0020		2
15-25-0020(A)&(D)		5
24-03-0950		1
44-53-370		7
44-53-370(b)(2)		2
44-53-370(d)(4)		22
44-53-375(A)		6
44-53-375(B)		1
44-53-40		1
44-53-445		2
56-01-0460(A)(1)(b)		1
56-05-0750(B)(1)		1
56-05-2920		2
59-150-0260(A)		1
61-04-0050(A)		1
63-19-2440		1
63-19-2450		1

PTI (Adult)

12th Judicial Circuit

Florence County

00-000-0004		1
00-000-0013		2
16-013-0110B1		28
16-017-0500		1
16-017-0530		1
16-023-0020		1
16-023-0440		1
16-03-0600		5
16-13-0230		1
16-13-0230(A)		6
16-17-0420		2
16-17-0530		1
16-25-0020(A)		1
16-25-0040		1
20-07-8925		2
44-053-0370d2		1
44-53-370		19
61-04-0110		4
16-03-0210(D)		2
16-03-0600(D)1		1
16-11-03112		1
16-13-0010		1
16-13-0160(A)(1)		1
16-13-0230(A)		2
16-13-0510		1
16-17-0722(B)		1

Attachment L

16-23-0020		2
16-25-0020(A)		1
34-03-0110(A)		5
44-53-0370(b)(1)		1
44-53-0370(b)(2)		1
44-53-0370(c)		2
44-53-0370(d)2		5
44-53-0370(d)(3)		1
44-53-0370 (g)(1)		1
44-53-0375(A)		1
44-53-370		2
56-05-1220		2
63-05-0070		1
16-23-0020		1
16-23-0030		1
44-53-370		1

PTI (Adult)

15th Judicial Circuit

Horry County

00-000-0005		3
16-003-0600		1
16-011-0313B		1
44-053-0375		1
56-005-2920		15
16-003-0660(E1)		1
16-011-510(B)(2)		1
16-11-0510(B)3		2
16-011-0700(c)1		1
16-013-0030(A)		5
16-013-0030(B)2		3
16-013-0110		43
16-013-0160		5
16-013-0240		3
16-014-0020		1
16-014-0060		2
16-015-0090		2
16-015-0130		4
16-017-0420		2
16-017-0490		1
16-017-0530		7
16-017-0722(B)		1
16-023-0020		5
16-23-0420		1
16-03-0600(c)1		1
16-003-0600(D)1		5
16-003-0600(E)1		4
16-03-1075(B)1		1
16-09-0320(A)		5
16-011-0312		1

Attachment L

16-011-0313		1
16-013-0010		2
16-013-0030(B)1		1
16-013-0160(1)2		3
16-013-0180(A)		1
16-013-0230(A)		2
16-014-0020		1
16-017-0410		2
16-023-0410		1
16-025-0020(A)		3
20-007-0050		8
22-003-0560		2
34-003-0110(B)		1
44-053-0040(B)		1
44-053-0370(B)1		4
44-053-0370(B)2		7
44-053-0370(d)1		5
44-053-0370(d)2		14
44-53-0370(d)3		29
44-053-0375		1
44-053-0375(B)		1
44-053-0391		8
44-053-0445(A)		1
45-53-0390		2
56-001-0460		2
56-05-1220		7
56-005-2920		3
56-010-0260		3
56-05-1230		1
56-05-1240		1
61-004-0110		5
61-009-0050		1
61-013-0287		2
61-013-0290		5
63-019-2440		9
63-019-2450		1

PTI (Adult)

15th Judicial Circuit

Georgetown County

56-005-2920		9
44-053-0370(d)3		2
16-017-0530		1
44-053-0370(d)2		3
44-053-0370(B)2		1
20-007-0050		1
61-004-0110		3
16-23-0020		2
16-09-0320(A)		2
16-003-0600(E)1		3

Attachment L

16-03-0600(D)1		1
16-017-0722(B)		1
44-053-0445(A)		1
56-005-2947		1
44-53-0390		1
50-11-0430		1
61-006-4020		1
16-13-0180(A)		1
16-13-0230(A)		2

PTI (Adult)

16th Judicial Circuit

Union County

16-03-0600		1
16-13-0230		1
16-14-0060		4
16-17-0530		3
23-31-0215		1
43-07-0070		1
44-53-370D4		1
44-53-0370		5
44-53-0390		1

*S.C. Commission on Prosecution Coordination
Report on Diversion Programs for
FY 2016/2017*

S.C. Code of Laws Section 17-22-1120



Pretrial Intervention Program (Juvenile)

Attachment L

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Attachment L

**Pretrial Intervention Program
(Juvenile) July 1, 2016- June 30, 2017**

SCCPC Report on Diversion Programs for FY 2016-2017

Diversion Program Data	Judicial Circuit Solicitor's Office Numbers																
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	
1. Number of Individuals who applied/referred	n/a	n/a	0	25	73	n/a	37	n/a	n/a	16	n/a	17	n/a	0	89	41	
2. Number of Original Criminal Offenses applied/referred. (See attached Quarterly Reports)	n/a	n/a	0	17	—	n/a	46	n/a	n/a	19	n/a	16	n/a	0	133	45	
3. Number of Individuals accepted	n/a	n/a	0	6	68	n/a	36	n/a	n/a	14	n/a	13	n/a	0	89	35	
4. Number of Individuals who successfully completed within a twelve-	n/a	n/a	0	11	59	n/a	36	n/a	n/a	4	n/a	14	n/a	0	80	25	
5. Number of Individuals who did not complete within a twelve-month period, but who are still participating	n/a	n/a	0	0	0	n/a	0	n/a	n/a	12	n/a	0	n/a	0	8	0	
6. Number of Individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	n/a	n/a	0	2	36	n/a	10	n/a	n/a	3	n/a	1	n/a	0	29	14	
7. Number of Individuals who successfully completed after a twelve-month period from the date of acceptance	n/a	n/a	0	0	0	n/a	0	n/a	n/a	0	n/a	0	n/a	0	0	0	
8. Number of Individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	n/a	n/a	0	0	0	n/a	0	n/a	n/a	0	n/a	0	n/a	0	0	0	
9. Number of Individuals with fees fully or partially waived for indigence	n/a	n/a	0	0	0	n/a	0	n/a	n/a	0	n/a	3	n/a	0	117	0	30

Attachment L

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Attachment L

**Pretrial Intervention (Juvenile)
Quarterly Reports
July 1-September 30, 2016
Criminal Offenses**

PTI (Juvenile)

12th Judicial Circuit

Florence County

16-3-600(E)		1
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PTI (Juvenile)

15th Judicial Circuit

Georgetown County

16-11-0640		1
16-017-0420		1
22-003-0570		1
16-21-60		1
56-05-1220		1
16-03-0600		1
16-017-0530		1

PTI (Juvenile)

15th Judicial Circuit

Horry County

44-053-0370(d)3		3
44-053-0391		2
22-003-0570		3
16-21-0080		1
16-017-0725(A)		1
16-011-0520		1
20-007-0030		1
44-53-0445(A)		2
14-053-0370(B)3		1

Attachment L

**Pretrial Intervention (Juvenile)
Quarterly Reports
October 1- December 31, 2016
Criminal Offenses**

PTI (Juvenile)

7th Judicial Circuit

Spartanburg County

16-03-0600 C1		1
16-03-0600 (D)(1)		1
16-11-0313		3
16-13-0030(A)		4
16-13-0110(A)		3
16-13-0180(1)		1
16-17-0740		1
44-53-0370(D)(4)		11
56-01-0050		1
56-01-0440		1
56-05-0750(B)(1)		1
64-04-0110		1

PTI (Juvenile)

12th Judicial Circuit

Florence County

16-23-20		1
16-13-110		3

PTI (Juvenile)

15th Judicial Circuit

Horry County

16-03-0600(E)(1)		1
16-13-0160(1)(2)(B)		13
16-11-0020		1
16-17-0420		1
24-01-0270		1
16-11-0520(A)		2
16-13-0030(A)		8
44-53-0370(d)(2)		3
44-53-0370(b)(2)		1
44-53-370(D)(4)		6
16-21-0090		1
16-011-0620		1
20-07-78-10 (C)(F)		2
16-23-0020(A)(2)		2

PTI (Juvenile)

15th Judicial Circuit

Georgetown County

16-017-0420		3
56-05-1220		2
44-53-370(D)(4)		1
16-03-0600(D)(1)		3
16-03-0600(E)(1)		3
20-7-30		1

Attachment L

16-017-0530		3
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**Pretrial Intervention (Juvenile)
Quarterly Reports
January 1 – March 31, 2017
Criminal Offenses**

PTI (Juvenile)

7th Judicial Circuit

Spartanburg County

16-13-0080		1
16-13-0520(A)		1
16-17-0530		1
44-53-037(D)(4)		4
63-19-2440		1

PTI (Juvenile)

15th Judicial Circuit

Horry County

16-017-0420		2
22-003-0570		2
44-53-370D4		6
16-03-0600D1		1
16-03-0600E1		1
20-7-30		1
16-017-0530		1
16-11-0640		1
16-023-0430		1

Attachment L
Pretrial Intervention (Juvenile)
Quarterly Reports
April 1 – June 30, 2017
Criminal Offenses

PTI (Juvenile)

7th Judicial Circuit

Spartanburg County

16-13-510		1
16-13-0030(A)		1
16-23-0020		1
44-53-0370(D)(4)		4
56-01-0050		1
56-01-0050		1
56-05-1900		1
56-05-1900		9

PTI (Juvenile)

10th Judicial Circuit

Anderson County

44-53-370(d)(4)		7
44-53-370		1
63-19-2440		5
44-53-370		1

PTI (Juvenile)

10th Judicial Circuit

Oconee County

44-53-370(d)(4)		2
44-53-370(b)(2)		1
44-53-110(33); 44-53-0391		1
16-23-0430		1

PTI (Juvenile)

12th Judicial Circuit

Florence County

16-23-430		1
44-53-370(D)(2)		2
16-17-420		1
16-11-312		1
16-3-600(E)		1

PTI (Juvenile)

12th Judicial Circuit

Marion County

16-3-600(E)		5
16-3-1040		1

PTI (Juvenile)

15th Judicial Circuit

Georgetown County

44-53-370(d)(4)		2
16-017-0530		2
16-011-0510(B)(1)		1

Attachment L

PTI (Juvenile)

15th Judicial Circuit

Horry County

16-03-0600(E)(1)		2
16-11-0312(B)		1
16-03-0655		1
Disorderly conduct		1
56-05-2930(1)		1
16-11-0520(A)		1
16-13-0030(A)		1
44-53-0370 (d)(2)		1
16-11-0011		1
4-53-370(D)(4)		4
16-17-0430(B)		1
16-021-0060		1

Attachment L

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*S.C. Commission on Prosecution Coordination
Report on Diversion Programs for
FY 2016/2017*

S.C. Code of Laws Section 17-22-1120



Traffic Education Program

Attachment L

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Attachment L
Traffic Education Program
July 1, 2016-June 30, 2017

SCCPC Report on Diversion Programs for FY 2016-2017

Diversion Program Data	Judicial Circuit Solicitor's Office Numbers															
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th
1. Number of Individuals who applied/referred	113	5	4	6	635	95	19	0	202	4	74	53	7	275	1401	356
2. Number of Original Criminal Offenses applied/referred. (See attached Quarterly Reports)	38	5	1	2	—	97	19	0	15	3	9	29	7	265	1449	14
3. Number of Individuals accepted	111	5	0	6	608	95	19	0	192	1	74	44	7	241	1401	122
4. Number of Individuals who successfully completed within a twelve-	94	3	0	0	5	69	20	0	190	3	61	43	5	238	1334	356
5. Number of Individuals who did not complete within a twelve-month period, but who are still participating	0	0	0	0	0	0	3	0	0	1	0	0	0	5	1	69
6. Number of Individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	6	0	0	1	13	0	0	0	7	0	3	2	0	0	48	0
7. Number of Individuals who successfully completed after a twelve-month period from the date of acceptance	0	0	0	0	0	0	0	0	0	0	0	0	0	5	1	0
8. Number of Individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9. Number of Individuals with fees fully or partially waived for indigence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Attachment L

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Attachment L

56-05-1520(g)(4)		3
56-05-1930		5
56-05-2120		1
56-05-2150		2
56-05-2330(c)		2
56-05-2740		43

TEP

9th Judicial Circuit

Berkeley County

56-05-1520(g)(1)		6
56-05-2320		1

TEP

10th Judicial Circuit

Anderson County

56-01-20		1
56-05-1520(a)		1
56-05-1520(g)(1)		2
56-05-1520 (g)(2)		3
56-05-1520 (g)(3)		3
56-05-1930		1
56-05-2740		1

TEP

11th Judicial Circuit

Lexington County

56-005-2120		1
56-05-1520(D)		3

TEP

12th Judicial Circuit

Marion County

56-05-1520 (D)		1
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TEP

12th Judicial Circuit

Florence County

56-05-1520 (D)		1
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TEP

15th Judicial Circuit

Horry County

56-05-0950		21
56-05-0970		1
56-05-1230		1
56-05-1240		1
56-05-1520		184
56-05-1810		3
56-05-1850		1
56-05-1890		2
56-05-1900		4
56-05-1930		6
56-05-2110		1
56-05-2120		2

Attachment L

56-05-2150		1
56-05-2180		1
56-05-2320		20
56-05-2330		24
56-05-2350		6
56-05-2360		1
56-05-2740		15
56-05-2770		2
56-05-3230		1
56-05-5040		1

TEP

15th Judicial Circuit

Georgetown County

56-05-1520		6
56-05-1890		1
56-05-2330		1

Attachment L

TEP

16th Judicial Circuit

York County

56-05-1520		229
56-05-950		45
56-05-2740		32
56-05-2320		25
56-05-1930		1
56-5-1810		2
56-05-1900		5
56-05-1830		7
56-05-2120		3
18-63-B		1
56-05-3810		1
56-05-1810		1
56-05-2715		1

Attachment L

TEP

12th Judicial Circuit

Florence County

56-05-1520(D)		1
16-23-0030 (F)		2

TEP

15th Judicial Circuit

Georgetown County

56-05-1520		7
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TEP

15th Judicial Circuit

Horry County

56-05-0950		16
56-05-0970		3
56-05-1520		225
56-05-1810		4
56-05-1890		5
56-05-1900		8
56-05-1930		6
56-02-2120		2
56-05-2150		2
56-05-2320		19
56-05-2330		16
56-05-2350		16
56-05-2360		1
56-05-2740		11
56-05-2770		3
56-05-2140		1
56-05-1850		2
56-05-1535		2
56-05-4410		1

56-05-1810	Attachment L	1
56-05-1850		1
56-05-1900		1

TEP

15th Judicial Circuit

Georgetown County

56-05-1520		13
56-05-0950		1
56-05-2740		2

TEP

15th Judicial Circuit

Horry County

56-05-0950		19
56-05-0970		1
56-05-1520		227
56-05-1810		4
56-05-1890		2
56-05-1900		7
56-05-1930		7
56-05-2120		3
56-05-2150		1
56-05-2320		27
56-05-2330		21
56-05-2350		9
56-05-2740		15
56-05-3810		2
56-05-2140		1
56-05-1850		1
56-05-2180		3
56-05-1830		1
56-05-1840		2
56-05-2370		1
56-05-1860		1
56-05-2310		1

Attachment L

**Traffic Education Program
Quarterly Reports
April 1 – June 30, 2017
Criminal Offenses**

TEP

1st Judicial Circuit

Dorchester County

56-05-0950		2
56-05-1520(a)		1
56-05-1520 (G)(1)		3
56-05-1520 (G)(2)		3
56-05-1520(G)(3)		9
56-05-1535		5
56-05-1850		2
56-05-1900		1
56-05-2120		2
56-05-2330		1
56-05-2740		2

TEP

3rd Judicial Circuit

Clarendon County

56-05-1520(D)		1
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TEP

6th Judicial Circuit

Lancaster County

56-05-950		2
56-05-2330		4
56-05-1880		1
56-05-1520		15

TEP

6th Judicial Circuit

Fairfield County

56-05-1520		2
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TEP

6th Judicial Circuit

Chester County

56-05-1880		1
56-05-1520		7
56-05-1520		1

TEP

7th Judicial Circuit

Spartanburg County

56-05-1520(G)(1)		2
56-05-7520		1

Attachment L

56-05-2150		2
56-05-2320		21
56-05-2330		17
56-05-2330(B)		16
56-05-2350		17
56-05-2360		1
56-05-2740		24
56-05-3810		1
56-05-1850		3
56-05-3250		1
56-05-1830		4
56-05-1840		1

TEP

16th Judicial Circuit

Union County

56-05-1520		1
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Attachment L

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*S.C. Commission on Prosecution Coordination
Report on Diversion Programs for
FY 2016/2017*

S.C. Code of Laws Section 17-22-1120



Worthless Check Unit

Attachment L

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**Attachment L
Worthless Check Unit
July 1, 2016-June 30, 2017**

SCCPC Report on Diversion Programs for FY 2016-2017

Diversion Program Data	Judicial Circuit Solicitor's Office Numbers															
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th
1. Number of Individuals who applied/referred	394	296	n/a	699	1087	102	0	0	2735	863	625	691	0	305	472	0
2. Number of Original Criminal Offenses applied/referred. (See attached Quarterly Reports)	2	430	n/a	9846	0	115	0	0	3	863	0	975	0	391	428	0
3. Number of Individuals accepted	394	296	n/a	699	0	102	0	0	2720	863	625	691	0	305	472	0
4. Number of Individuals who successfully completed within a twelve-	248	204	n/a	477	0	53	0	0	477	268	432	486	0	189	359	0
5. Number of Individuals who did not complete within a twelve-month period, but who are still participating	1312	2071	n/a	10,046	0	13	0	0	1928	613	10,669	1827	0	2769	5757	0
6. Number of Individuals who unsuccessfully completed within the twelve-month period and who have been prosecuted for the offense committed	3	0	n/a	59	0	17	0	0	12	138	6	98	0	1	8	0
7. Number of Individuals who successfully completed after a twelve-month period from the date of acceptance	52	22	n/a	477	0	0	0	0	0	55	81	62	0	38	45	0
8. Number of Individuals who unsuccessfully completed after a twelve-month period from the date of acceptance	5	0	n/a	59	0	0	0	0	85	338	5	16	0	1	26	0
9. Number of Individuals with fees fully or partially waived for indigence	0	0	n/a	28	0	0	0	0	0	0	0	0	0	0	3	0

Attachment L

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Attachment L

WCU

14th Judicial Circuit

Beaufort County

34-11-60	Checks/Fraudulent Checks	20
34-11-80	Banking/Violation of Bank Deposits	2

WCU

14th Judicial Circuit

Colleton County

34-11-60	Checks/Fraudulent Checks	34
34-11-80		1

WCU

14th Judicial Circuit

Jasper County

34-11-60	Checks/Fraudulent Checks	143
34-11-80		4

WCU

14th Judicial Circuit

Allendale County

34-11-60	Checks/Fraudulent Checks	15
34-11-80		1

WCU

15th Judicial Circuit

Georgetown County

34-11-60	Checks/Fraudulent Checks	40
34-11-80	Banking/Violation of Bank Deposits	1

WCU

15th Judicial Circuit

Horry County

34-11-60	Checks/Fraudulent Checks	288
34-11-80	Banking/Violation of Bank Deposits	19

Attachment L

WCU

15th Judicial Circuit

Georgetown County

34-11-60	Checks/Fraudulent Checks	57
34-11-80	Banking/Violation of Bank Deposits	5

WCU

15th Judicial Circuit

Horry County

34-11-60	Checks/Fraudulent Checks	206
34-11-80	Banking/Violation of Bank Deposits	12

